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PROVIDE INDEMNITY PAYMENTS TO DAIRY FARMERS

MONDAY, JULY 1, 1968

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The committee met, pursuant to notice, at 10:45 a.m., in room 1301, Longworth House Office Building, Washington, D.C., Hon. W. R. Poage (chairman) presiding.

Present: Representatives Poage, Gathings, Stubblefield, O'Neal, Jones of North Carolina, Wampler, Goodling, and Kleppe.

Also present: Martha Hannah, subcommittee clerk; William C. Black, general counsel; Hyde H. Murray, assistant counsel; L. T. Easley, staff consultant; and Fowler C. West, assistant staff consultant.

The CHAIRMAN. The committee will please come to order.

We have next for consideration H.R. 17995 and a related bill, H.R. 17752, with reference to indemnity payments to dairy farmers.

(H.R. 17752, introduced by Mr. White and Mr. Pryor, is identical to H.R. 17995, introduced by Mr. Hansen, the text of which follows:)

[H.R. 17995, 90th Cong., second sess.]

A BILL To provide indemnity payments to dairy farmers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 3. The authority granted under this Act shall expire on June 30, 1969.

The CHAIRMAN. We have Congressman Pryor with us, and we also have Congressman White on these measures.

Mr. Adams is here from the Department.

Mr. Pryor, we will be glad to hear from you at this time.

STATEMENT OF HON. DAVID PRYOR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. PRYOR. Mr. Chairman and members of the committee.

Actually, I would be glad to testify first, but I think that inasmuch as Mr. White actually originated this bill, that it might be better if he testified first.

The CHAIRMAN. You may proceed.

Mr. PRYOR. I certainly appreciate the opportunity of coming here on behalf and in support of H.R. 17752, which I would call the milk indemnity bill. I think all of the members of the committee are very familiar with this particular type of legislation. We feel it is legislation that is urgently needed. We think that we should now take cognizance of the fact that this is not "new" legislation but is merely a continuation of the program which has been in effect for several years, and I feel that if we do not act now, and with some degree of speed, that we might find some dairy farmers all over the country who would be caught short in the event that their dairy cows became contaminated with insecticides and pesticides.

We think this is a piece of legislation which is very urgent, and I would urge your consideration of it.

Mr. Chairman and gentlemen of the committee, I have a short statement that I would like to file in behalf of H.R. 17752.

The CHAIRMAN. Without objection, it will be included in the record at this point.

(The prepared statement submitted by Mr. Pryor reads in full as follows:)

STATEMENT OF HON. DAVID PRYOR, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF ARKANSAS

Mr. Chairman and members of the committee, this bill under consideration is not a proposal for new legislation but would merely continue a program which has been in effect for a number of years. The number of instances where the provisions for milk indemnity payments have been applied have not been numerous, however, for the dairymen who have been involved in its use it has been of extreme importance.

The use of insecticides, pesticides, and herbicides, has added greatly to the productivity of American agriculture and are vitally important to certain crops. With their wide-spread use it was inevitable that dairy cattle concentrates and roughages would be contaminated by some of these materials and would be reflected in tests of the milk. Just recently, among some of our dairy farmers in Arkansas, Food and Drug Administration officials found milk from a small number of farms to be contaminated above their tolerance levels and it was necessary that these farmers dump their milk at the farm. Authorities still have been unable in many cases, to track down the source of the contamination, but in no case had the farmer made use of the contaminate on his own farm.

It is known that once a build-up of any of these materials occurs it may take an extended period of time, up to six months or longer, before it will be eliminated from the body of a dairy cow. Under Food and Drug regulations a dairyman may be compelled to pour out his milk for such a time that he could and would suffer financial ruin. This can occur while this dairyman is following explicitly the recommendations of the Federal Government and U.S. Public Health Service for production of milk.

While we are protecting the health and welfare of the citizens of our country, I believe that we must also protect the economic welfare of dairy farmers who can well be forced into bankruptcy through no carelessness or ill-advised action on their own part. This bill, which would continue to compensate dairy farmers for milk which is condemned by the Federal authorities where the presence of insecticides, pesticides and herbicides is detected, is of utmost importance to dairymen and should be approved by this Committee.

The CHAIRMAN. We are very much obliged to you for your statement.

Mr. Teague?

Mr. TEAGUE of California. Is this bill identical with the Hansen bill?

Mr. PRYOR. Yes, sir, it is identical to Mr. Hansen's bill.

Mr. TEAGUE of California. I do not have the other one before me. That is the reason I asked.

The CHAIRMAN. Mr. Gathings?

Mr. GATHINGS. Mr. Pryor, I just wondered if you find in your district any need for this type of legislation?

Mr. PRYOR. I would say to the gentleman from Arkansas that we do find a definite need. Recently, we found in certain sections of southwest Arkansas situations wherein some dairy farmers were forced to pour out milk because of certain contaminating chemicals, and all of these farmers were acting under the direction and supervision of the Federal Health Service and the Department of Agriculture.

We are not certain at this time whether or not the farmers using the insecticides, et cetera, were contaminating their own dairy cattle, their own dairy products, or not, but this is a question, I think, which has not been resolved.

We have found, resulting from the cold and hard facts, that unless these farmers are indemnified for the milk that they have been forced to pour out, that these farmers, especially several small dairy farmers, cannot withstand such a loss, might go bankrupt.

Therefore, we feel that although we must protect the public health—and we are all in agreement on that; we are all cognizant of that—in addition Mr. Gathings, that we must give some protection to the small dairy farmer who had been forced because of some reason to pour out his milk, because it had been contaminated, according to the Public Health Service findings.

To answer your question directly, there have been some instances in Arkansas, and I understand also in other States, where this bill would certainly be of great assistance.

Mr. GATHINGS. How much of this would be involved over the Nation—how many?

Mr. PRYOR. I do not know specifically what States would be involved; I do not know any State offhand, other than Arkansas. I suppose other sponsors of the bill might mention other States that would be affected.

Mr. GATHINGS. Thank you.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. Goodling?

Mr. GOODLING. Do you know whether your farmers who have had this trouble used insecticides as recommended by the manufacturers?

Mr. PRYOR. I do not know the answer to that question. I can only assume that these insecticides and pesticides have been recommended by the Public Health Service and, I am assuming, by the Department of Agriculture—that these affected farmers have been given approval to use these particular insecticides and pesticides. Whether they have been recommended for a particular region or a particular situation by the manufacturers of certain of these chemicals, I do not know the answer to that question.

Mr. GOODLING. Some believe that if the table says use one pound that by using two pounds the results would be twice as good.

Mr. PRYOR. Right.

The CHAIRMAN. Mr. Kleppe?

Mr. KLEPPE. Mr. Pryor, can you tell us why this legislation is specifically for 1 year?

Mr. PRYOR. I do know this, Mr. Kleppe: It is my understanding that the legislation is expiring at that time.

Mr. KLEPPE. And this extends it for another year?

Mr. PRYOR. That is correct. It extends it for 1 year.

Mr. KLEPPE. Maybe this is not a fair question to ask you. If so, please so state.

I wonder if it is the thinking of the sponsors that this problem may be alleviated and eliminated within the period of a year?

Mr. PRYOR. Mr. Kleppe, it is our understanding that there is a great amount of research going into this particular problem right now, trying to come up with some resolving factor which we all might come up with in a short time, but I think the other sponsors of this legislation join with me in hoping that it can possibly be resolved within 1 year. If it is, it certainly would be my hope and I assume other sponsors' hope, and that of the committee, that this type of legislation would not have to be a "continuing" sort of legislation.

Mr. KLEPPE. Thank you. That is all, Mr. Chairman.

The CHAIRMAN. Mr. O'Neal.

Mr. O'NEAL. I have a question. I do not know whether it is proper to address it to Mr. Pryor.

I have supported this legislation for a continuation of the program. I do not know how many times that has been since I have been here.

Does this legislation provide for indemnity where the dairy farmer is the guilty party himself?

Mr. PRYOR. Is that question directed to me?

Mr. O'NEAL. Yes, sir.

Mr. PRYOR. I do not know, specifically, the answer to the question. I think——

The CHAIRMAN. May I answer a question?

The bill provides that there shall be an indemnity paid where the milk was removed from the market because it contained residues of chemicals registered and approved by the Federal Government.

Mr. O'NEAL. It does not say who might have put it out.

The CHAIRMAN. It says the chemical had to be approved by the Federal Government.

If you use some of these chemicals for flies and for many of the other uses that you use chemicals for, that have been approved by the Federal Government, and then the milk is condemned because you did, this would allow the Federal Government to indemnify you for the loss.

Mr. O'NEAL. If someone many miles away did use an unregistered chemical, would the dairyman be indemnified?

The CHAIRMAN. This does not, as I see it, give him that indemnity, no, sir.

Are there any further questions of Mr. Pryor?

If not, thank you very much, Mr. Pryor.

Mr. PRYOR. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. White is with us.

We will be glad to hear from you, Mr. White.

We are always happy to have you with us.

STATEMENT OF HON. RICHARD C. WHITE, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF TEXAS

Mr. WHITE. Thank you, Mr. Chairman and members of the committee for giving me the opportunity to present my testimony before the committee.

My bill provides for the extension of expiring authority for the Secretary of Agriculture to make indemnity payments, at a fair market value, to dairy farmers who have been directed, since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals, registered and approved for use by the Federal Government at the time of such use.

In my area, this problem arises chiefly from the use of DDT and other insecticide sprays on cotton crops. It is often carried by the wind to nearby pasturelands for dairy cattle and may remain as a contaminant of milk for a long time. There have been many cases where milk from cows grazed in such pasturelands may pass the high standards of State health departments and still be ineligible for interstate shipment.

Obviously, there is much more work to be done in this regard, and I understand you will hear from the Agriculture Department some expert testimony on the work of the Agricultural Research Service. Until new chemicals, or new means of application are developed, or new standards of acceptance of milk for interstate shipment are approved, dairy farmers of my area will continue to suffer serious losses in this regard. H.R. 17752, introduced by myself and my colleague, the gentleman from Arkansas, Mr. Pryor, is intended to protect the dairy farmer while the scientists of the Department of Agriculture provide a workable solution.

It is my hope that the testimony of the Department in connection with this bill will show that a solution is near, and that the legislation will no longer be necessary after the expiration date of the authority in our bill, June 30, 1969.

Clearly, the solution is not simply to forbid use of certain insecticides, without providing others that are equally effective. By such action, we would merely be switching damages from dairy cattle to cotton crops. American agriculture has made giant strides in research in recent years, and I believe, if we can buy ourselves a little more time through this legislation, that we shall solve the problem to everyone's satisfaction. Thank you.

May I further comment that when dairy farmers buy their feed from other sources, they do not know from whence the feed comes, nor from what soil it is grown. They can't know if it has a residual quality that may have existed ten years ago. The insecticide or pesticide may have been used ten years ago and remained in the soil, evidencing itself in the feed later being used. Sometimes in these crops, such as alfalfa, no one is aware that this danger will arise and contaminate the milk when used by the dairy farmer.

Thank you, again, very much.

The CHAIRMAN. Thank you, Mr. White.

Are there any questions of Mr. White?

Mr. Jones?

Mr. JONES of North Carolina. Do you know how much it was last year?

Mr. WHITE. I do not have the figures presently, as to how much it was last year, but I think it is diminishing, because I think the farmers who are supplying the feed presently are being more cautious and being more careful. It is becoming more rare in the cotton lands where it has been used in the past. I have been given a note that \$500,000 was appropriated for fiscal year 1968 and two hundred approximately was used.

Mr. JONES of North Carolina. Thank you.

Are there any further questions of Mr. White?

If not, we are very much obliged to you, Mr. White.

Mr. WHITE. Thank you, Mr. Chairman.

The CHAIRMAN. Now, we have the Department represented here by Mr. Adams, who is accompanied by Mr. Cook.

We will be glad to hear from the Department now.

STATEMENT OF KEISTER N. ADAMS, DEPUTY DIRECTOR, LIVESTOCK AND DAIRY POLICY STAFF, ASCS, ACCOMPANIED BY ROBERT M. COOK, PROGRAM SPECIALIST, FARMER PROGRAMS DIVISION, ASCS, U.S. DEPARTMENT OF AGRICULTURE

Mr. ADAMS. Mr. Chairman, my name is Keister N. Adams, and I am deputy director of the Livestock and Dairy Policy Staff, ASCS, and I have with me Mr. Robert N. Cook, program specialist with our Farmer Programs Division, ASCS. Incidentally, I might mention that Mr. Cook is rated as a native of the State of Texas, and I am sorry that I cannot claim that same distinction.

Also, I might mention in the beginning, that contrary to what has been indicated earlier, we are not with the Agricultural Research Service and our knowledge and experience does not extend to the chemical and technical aspects of pesticides and the like. I thought perhaps we could provide you with other information which may be helpful to you.

Your committee just recently requested a report from the Department of Agriculture on legislation which, like H.R. 17995, would extend the authority for indemnity payments to dairy farmers for another year, through June 30, 1969. The proposed extension is now under active consideration by the Department, and a report is being prepared. Since that report has not yet been submitted to the committee, I cannot at this time say whether or not the Department will recommend a continuation of the milk indemnity program.

I would, however, like to present a very brief summary of the indemnity program since it was first begun, and then attempt to answer any questions which may arise.

The milk indemnity program was first authorized and funded by the Economic Opportunity Act of 1964 for milk kept off the market after January 1 of that year as a result of pesticide residues.

That act authorized indemnity payments for losses through January 31, 1965. Thereafter, the legislation was amended three different times, extending the indemnity program through June 30, 1967:

The first extension was for 5 months, from January 31, 1965, to June 30, 1965; the second extension was from June 30, 1965, to June 30, 1966; and the third extension was from June 30, 1966, to June 30, 1967.

Last year, the first session of this Congress enacted new legislation, Public Law 90-95, which again extended the program through June 30, 1968.

Since the program was first begun, indemnity payments totaling approximately \$975,000 have been made to 350 milk producers in 27 States. During the past year, payments have amounted to approximately \$200,000. I have here a table which summarizes these payments, by years and by States.

If I may, I will pass it up to you now?

The CHAIRMAN. Yes.

(The document referred to follows:)

EXPENDITURES UNDER MILK INDEMNITY PAYMENT PROGRAM

	Fiscal year expenditures				Total
	1965	1966	1967	1968	
Arizona.....		\$1,265.56			\$1,265.56
Arkansas.....				¹ 10,000.00	
California.....	\$14,356.64	3,838.34	\$8,132.68	22,584.23	58,911.89
Colorado.....				2,123.00	2,123.00
Florida.....					
Georgia.....	1,258.89	9,359.99			10,619.88
Idaho.....	3,630.52			¹ 6,000.00	9,630.52
Illinois.....	226.91	223.52	281.76		732.19
Iowa.....	1,368.05	20,794.58			22,162.63
Kansas.....	8,350.00	77,614.58			85,964.58
Louisiana.....	7,469.47				7,469.47
Maryland.....	164,747.00	13,868.06			178,615.06
Michigan.....	215.22				215.22
Minnesota.....	619.46				619.46
Mississippi.....		3,583.17	1,428.25		5,011.42
Missouri.....	736.49	914.45			1,650.94
Montana.....				38,369.06	38,369.06
Nebraska.....		4,505.37	2,373.10		6,878.47
New York.....			7,822.14		7,822.14
North Carolina.....	4,077.93				4,077.93
Pennsylvania.....	55,746.45				55,746.45
South Dakota.....	1,019.21				1,019.21
Tennessee.....	4,564.48				4,564.48
Texas.....			244,473.10	97,723.56	342,196.66
Utah.....	29,896.80				29,896.80
Virginia.....	23,299.85				23,299.85
West Virginia.....	13,740.07	3,576.33			17,316.40
Wisconsin.....	14,609.25	11,066.90	15,062.48	21,127.00	61,865.63
Total.....	349,932.69	150,610.85	279,573.51	197,926.85	978,043.90

Note: Figures for 1968 include applications paid, applications filed but not paid as of this date and estimates where producers are off the market, but applications have not been received.

¹ Estimated.

Mr. ADAMS. You will note that the program coverage in each State has been relatively limited in the number of applicants and the amount of payments. Nevertheless, the payments have been of great significance to those who have received them and, without a doubt, have saved them from financial ruin.

Many actions have been taken by the Department of Agriculture, by State and local agencies, and by dairymen themselves to reduce or eliminate pesticide contamination of milk. Consequently, the incidence of contamination and condemnation, and the amount of payments, has been much less than was originally anticipated. Nevertheless, some producers, through no fault of their own, have continued to suffer losses due to pesticide residues in their milk, and it seems likely that there may continue to be some further losses before the problem is finally resolved.

The CHAIRMAN. Thank you very much, Mr. Adams. Are there any questions?

Mr. O'Neal?

Mr. O'NEAL. We are not concerned with atomic fallout here at all, are we?

Mr. ADAMS. No, sir.

Mr. O'NEAL. You merely determine what the chemical residue is without regard to whose fault it is?

Mr. ADAMS. No, sir; we also determine that it was not the fault of the farmer who suffered the loss.

Mr. O'NEAL. Thank you.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. Kleppe?

Mr. KLEPPE. Mr. Adams, what is the main reason why there are more problems in Texas.

Is it because of cotton?

Mr. ADAMS. Mr. Kleppe, yes, sir; I think that is a part of it. The other part is that the producers who have been affected are usually large producers. There were not many of them, there were only four or five, but these were all large producers and their losses were large. It appeared to us that for the most part these losses, which were in the El Paso area, were due to one or two or three things. One, from an apparent drift of spraying on cotton and other crops around these farms by aerial spraying; secondly, from DDT contaminated soil being blown from one place to another and, perhaps, to a lesser extent in the beginning through purchases of contaminated feed by these producers. I might add that this was done without their knowledge. They did not know it was contaminated when they bought it.

Mr. KLEPPE. I also noticed that Montana producers did not receive indemnity payments from 1965 through 1967, and in 1968 there were some losses.

Mr. ADAMS. Yes, sir.

Mr. KLEPPE. Do you know why they occurred?

Mr. ADAMS. Those losses occurred only recently, within the last 2 or 3 months, I believe, they were confined pretty much to one area of Montana. Mr. Cook can tell you more about the details of the losses.

Mr. COOK. Chlordane was primarily the pesticide causing the loss in Montana. I think the reason it came up this year and had not shown up before is the fact that the sanitary authorities in Montana have started using more sophisticated testing equipment and they are finding chlordane today where they did not find it before.

The CHAIRMAN. May I ask, in that connection, with that testing equipment, who makes the determination that the milk is unfit for human consumption?

Mr. COOK. The Montana Livestock Sanitary Board, I believe, in this case. It usually is a public health agency within the State. In some cases, like in the case of the El Paso area in Texas, the Food and Drug Administration made the determination, because it was crossing State lines.

The CHAIRMAN. In other words, when there is an interstate question involved, it is the Food and Drug Administration and not the Department of Agriculture?

Mr. COOK. That is correct. We do not make that determination; that is right.

The CHAIRMAN. Mr. Goodling?

Mr. GOODLING. Is most of this damage caused by direct contact or by drifting?

Mr. COOK. I do not know. In Montana this past year, it has been primarily the direct application of pesticides to the farmers' own hay crop. I would say that the majority of the other cases have been either from drifting or from the purchase of such hay.

Mr. GOODLING. You would not know whether the farmer used it as directed?

Mr. COOK. You mean in the case of his own hay?

Mr. GOODLING. That is right.

Mr. COOK. We get his certification to the effect that he did use it correctly or get such certification from the commercial firm that applied the pesticide.

Mr. GOODLING. Did you say that this can be caused by using contaminated seed?

Mr. COOK. Mr. Adams did not mean to say that, if he did.

Mr. GOODLING. I thought that he did. Would you say that it can be caused by contaminated soil blowing from another field?

Mr. ADAMS. There is evidence to that effect; yes.

Mr. GOODLING. Can you prove that scientifically?

Mr. ADAMS. I do not know whether I can prove it scientifically, or not. Arizona seems to think they have pretty good evidence to that effect.

Mr. GOODLING. I would like to know about that. I have used many tons of insecticides in my day. I question very seriously whether you contaminate pasture soils by soil blowing from other areas. It may be possible.

The CHAIRMAN. Let us go off the record.

(Discussion was had outside the record.)

The CHAIRMAN. Back on the record.

Mr. GOODLING. Have you paid in 1968?

Mr. ADAMS. Yes.

Mr. GOODLING. That is, for the 1968 hay crop?

Mr. ADAMS. That is for the milk.

Mr. GOODLING. I thought you said it came from the hay.

Mr. ADAMS. In some case; yes.

Mr. GOODLING. It is the 1968 hay and pasture?

Mr. ADAMS. It would be from the 1967 crop of hay, perhaps used in 1968.

The CHAIRMAN. Mr. Kleppe?

Mr. KLEPPE. These are figures for the fiscal year to date?

Mr. ADAMS. Yes.

The CHAIRMAN. Mr. Gathings.

Mr. GATHINGS. I would like to ask that this table be made a part of the record.

The CHAIRMAN. If it was not so made when it was handed up, it will be, without objection, included in the record.

Mr. Kleppe?

Mr. KLEPPE. I have one more question.

Do either one of you gentlemen know if tordon is one of the culprits?

Mr. COOK. I have not run into that.

Mr. KLEPPE. It is used quite extensively in my area, particularly against leafy spurge, and a lot of dairy people use it. I was wondering if this was one of the culprits.

Mr. COOK. I do not believe we have had any cases of tordon.

The CHAIRMAN. If there are no further questions, we are very much obliged to you, gentlemen.

Mr. ADAMS. Thank you, sir.

(The following letter and statement were also submitted to the committee:)

STATEMENT OF HON. GEORGE V. HANSEN, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF IDAHO

Mr. Chairman, I urge approval by this Committee of H.R. 17752 and of my bill, H.R. 17995, to provide indemnity payments to dairy farmers.

Mr. Chairman, many dairy farmers are unable to market their milk at the present time through no fault of their own. They had relied—as I would expect them to continue to rely—on the advice of their government in the use of certain chemicals which, at the time, were registered and approved for use by that government.

Since then it has been found that the milk from their herds contained residues from those chemicals which make the milk unfit for sale on commercial markets.

It is only just, Mr. Chairman, that, until such time as the residues have disappeared and the milk is once again fit for commercial markets, that the Federal Government, upon which these people had relied for advice, continue to provide them with indemnity payments.

Again, I urge that this legislation be approved.

JULY 2, 1968.

Hon. W. R. POAGE,
*Chairman, Committee on Agriculture,
House Office Building, Washington, D.C.*

DEAR MR. POAGE: As the sponsor of the bill—H.R. 11160—introduced last year and subsequently enacted into law as P.L. 90-95, you are well aware of the importance of the pesticide payment program to dairy farmers. Although the expenditures under this program have been very modest, however, to the dairy farmers whose milk has been contaminated through no fault of their own, these payments are desperately needed.

These programs must be continued for at least another year and we strongly support the bills H.R. 17752 and H.R. 17995 to continue for one more year of indemnity payments to dairy farmers.

We will appreciate it if you will make this communication a part of the record of hearings on the proposed legislation.

Sincerely,

NATIONAL MILK PRODUCERS FEDERATION,
E. M. NORTON, *Secretary*.

The CHAIRMAN. We have no other bills now to come before the committee; do we?

Miss HANNAH. Not in open session.

The CHAIRMAN. I would like for the committee to now go into executive session.

(Whereupon, at 11:15 a.m., the committee retired into executive session and the reporter was excused.)

LEGISLATIVE HISTORY
Public Law 90-484
S. 3638

TABLE OF CONTENTS

Index and summary of S. 3638.....	1
Digest of Public Law 90-484,.....	2

INDEX AND SUMMARY OF S. 3638

June 10, 1968	Rep. White introduced H. R. 17752 which was referred to House Agriculture Committee. Print of bill as introduced.
June 12, 1968	Sen. Byrd, W. Va., introduced and discussed S. 3638 which was referred to Senate Agriculture and Forestry Committee. Print of bill as introduced and remarks of author.
July 1, 1968	House committee voted to report H. R. 17752.
July 2, 1968	House committee reported H. R. 17752 without amendment. House Report 1614. Print of bill and report.
July 3, 1968	Senate committee voted to report S. 3638.
July 8, 1968	Senate committee reported S. 3638 without amendment. Senate Report 1363. Print of bill and report.
July 10, 1968	Senate passed S. 3638 without amendment.
July 11, 1968	S. 3638 was referred to House Agriculture Committee. Print of bill as referred.
July 15, 1968	House passed S. 3638 with an amendment to insert language of H. R. 17752. H. R. 17752 was tabled due to passage of S. 3638.
July 25, 1968	Senate conferees were appointed.
July 26, 1968	House conferees were appointed.
July 31, 1968	House received conference report. House Report 1828. Print of conference report.
Aug. 1, 1968	House agreed to conference report.
Aug. 2, 1968	Senate agreed to conference report.
Aug. 13, 1968	Approved: Public Law 90-484.

Hearing: House Agriculture Committee
Miscellaneous-Serial WW.

DIGEST OF PUBLIC LAW 90-484

EXTENSION OF DAIRY INDEMNITY PAYMENTS. Extends for 2 years (through June 30, 1970) the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved by the Federal Government.

90TH CONGRESS
2D SESSION

H. R. 17752

IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 1968

Mr. WHITE (for himself and Mr. PRYOR) introduced the following bill; which
was referred to the Committee on Agriculture

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
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8 the Federal Government at the time of such use. Such indem-
9 nity payments shall continue to each dairy farmer until he
10 has been reinstated and is again allowed to dispose of his
11 milk on commercial markets.

1 SEC. 2. There is hereby authorized to be appropriated
2 such sums as may be necessary to carry out the purposes
3 of this Act.

4 SEC. 3. The authority granted under this Act shall ex-
5 pire on June 30, 1969.

90TH CONGRESS
2D SESSION

H. R. 17752

A BILL

To provide indemnity payments to dairy
farmers.

By Mr. WHITE and Mr. PRYOR

JUNE 10, 1968

Referred to the Committee on Agriculture

S. 3638

IN THE SENATE OF THE UNITED STATES

JUNE 12, 1968

Mr. BYRD of West Virginia (for Mr. MONTONA, Mr. EASTLAND, Mr. HARRIS, Mr. LONG of Missouri, Mr. MCGOVERN, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MUNDT, Mr. NELSON, Mr. PROXMIRE, and Mr. YARBOROUGH) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That section 3 of Public Law 90-95, approved September
- 4 28, 1967 (81 Stat. 231; 7 U.S.C. 450l), is amended by
- 5 striking out "June 30, 1968" and inserting in lieu thereof
- 6 "June 30, 1971".

II

★(Star Print)

A BILL

To extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

By Mr. BYRD of West Virginia (for Mr. MONTGOMERY, for himself, Mr. EASTLAND, Mr. HARRIS, Mr. LONG of Missouri, Mr. MCGOVERN, Mr. MANFELD, Mr. METCALF, Mr. MILLER, Mr. MUNDT, Mr. NELSON, Mr. PROXMIRE, and Mr. YARBOROUGH)

JUNE 12, 1968

Read twice and referred to the Committee on
Agriculture and Forestry

health, education, and civil defense agencies.

The subcommittee asked the Governors of the fifty States for their comments on the desirability of making AID's overseas excess property acquisitions available to State and local agencies before it could be sent to foreign countries. The overwhelming number of replies indicated support for such proposal. Most of the Governors complained that in recent years there had been a decreasing amount of Federal surplus property available to the States at a time when there was increasing need for such property. Some of the replies indicated concern that under existing legislation foreign communities were given a higher priority in obtaining excess property than our own communities.

The subcommittee believes that a reordering of priorities is now required. There can be little justification for furnishing useful equipment and supplies to towns, villages, and local agencies in foreign countries when such material is desperately needed by local communities and agencies in our own country. This situation can be corrected only by legislative action since testimony received from the executive agencies indicated that they were split on this matter. Such legislation should be given prompt consideration by the Congress.

S. 1974, which I have reported today, carries out these recommendations for needed legislation and I hope that the Senate will act upon it favorably as soon as possible.

The PRESIDING OFFICER. The report will be received and printed, and the bill will be placed on the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD (for himself, Mr. MAGNUSON, Mr. PASTORE, Mr. JAVITS, Mr. FONG, Mr. SMATHERS, Mr. RIBICOFF, Mr. BREWSTER, Mr. TYDINGS, Mr. MONDALE, Mr. CASE, Mr. MONRONEY, Mr. PROXMIRE, Mr. WILLIAMS of New Jersey, Mr. LAUSCHE, Mr. NELSON, Mr. MCINTYRE, Mr. GRIFFIN, Mr. PELL, Mr. INOUE, Mr. CLARK, Mr. BROOKE, Mr. RANDOLPH, Mr. SPONG, Mr. PERCY, Mr. MUSKIE, Mr. HARTKE, and Mr. SCOTT):

S. 3633. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary; to be referred to the Committee on Commerce when reported from the Committee on the Judiciary, by order of the Senate of June 11, 1968.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. BREWSTER, Mr. PROXMIRE, Mr. RANDOLPH, Mr. YOUNG of Ohio, Mr. PELL, Mr. JAVITS, Mr. SMATHERS, Mr. MONDALE, and Mr. HARTKE):

S. 3634. An act to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition; and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. MONTOYA, and Mr. SMATHERS):

S. 3635. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING:

S. 3636. A bill for the relief of Wai Keung Tsang; to the Committee on the Judiciary.

By Mr. BROOKE (for himself, Mr. CASE, Mr. JAVITS, Mr. SCOTT, Mr. FONG, and Mr. HARTKE):

S. 3637. A bill to provide for the establishment of a national firearms registry; to the Committee on the Judiciary.

(See the remarks of Mr. BROOKE when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for Mr. MONTOYA, Mr. EASTLAND, Mr. HARRIS, Mr. LONG of Missouri, Mr. MANSFIELD, Mr. MCGOVERN, Mr. METCALF, Mr. MILLER, Mr. MUNDT, Mr. NELSON, Mr. PROXMIRE, and Mr. YARBOROUGH):

S. 3638. A bill to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. BYRD of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON (for himself and Mr. MORTON):

S.J. Res. 176. Joint resolution to authorize the President to designate the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week;" to the Committee on the Judiciary.

(See the remarks of Mr. PEARSON when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HARRIS:

S.J. Res. 177. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day;" to the Committee on the Judiciary.

(See the remarks of Mr. HARRIS when he introduced the above joint resolution, which appear under a separate heading.)

S. 3635—INTRODUCTION OF BILL TO AMEND THE SMALL BUSINESS ACT

Mr. SPARKMAN. Mr. President, I am today introducing this bill as an amendment to the Small Business Act to enlarge the scope of a certificate of competency which the Small Business Administration has authority to grant small business bidders for Government contracts.

Under the law as it now exists, a certificate of competency is conclusive evidence that a small business bidder for a Government contract has the plant and manpower resources, necessary technical know-how, productive capacity, financial responsibility, and credit rating to perform the prospective contract work concerning which the certificate has been issued. The certificate as now interpreted makes no determination with respect to other factors of bidder responsibility, such as past performance, integrity, ethics, motivation, perseverance, and tenacity. This limitation on the scope of the certificate of competency has caused considerable confusion and difficulty in a number of procurement actions and has greatly restricted the usefulness of the COC. The purpose of this amendment is to enlarge the scope of the certificate to include all elements of responsibility such that when the Small Business Ad-

ministration has issued a certificate to a small business firm bidding for a Government contract, all questions of whether or not the bidder can and will perform the prospective contract work will have been answered in the affirmative and this determination in the specific case will be conclusively binding on the procuring agency.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3635) to amend the Small Business Act, introduced by Mr. SPARKMAN (for himself, Mr. MONTOYA, and Mr. SMATHERS), was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3638—INTRODUCTION OF BILL RELATING TO MILK INDEMNITY PAYMENTS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico [Mr. MONTOYA] and other Senators, I introduce, for appropriate reference, a bill relating to milk indemnity payments. I ask unanimous consent that a statement, prepared by Mr. MONTOYA, relating to the bill, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, introduced by Mr. BYRD of West Virginia (for Mr. MONTOYA and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The statement of Mr. MONTOYA is as follows:

MILK INDEMNITY PAYMENTS

Mr. MONTOYA. Mr. President, I introduce today on behalf of myself and Senators Eastland, Harris, Long of Missouri, Mansfield, McGovern, Metcalf, Miller, Mundt, Nelson, Proxmire, and Yarborough, a measure which requires our early and prompt attention.

This bill which we are introducing today would extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. Mr. President, the dairy farmers of this country have been plagued for a number of years by a problem which is not of their making and for which the Federal Government must take full responsibility.

The problem which our dairy farmers are facing has been brought about by the use of chemicals approved by the Federal Government to dust crops. Some of these chemicals have been found to contaminate feeds. The contamination passes on into the milk and when the residues of pesticides is found to be of too high a level, the farmers are forced to dump their milk, taking it out of commercial channels. The result has been disastrous to the dairy farmers involved, some of which have had to go into bankruptcy.

Authority was first provided in 1964 to indemnify dairy farmers for their loss.

This authority has been extended on several occasions. The present authority expires on June 30, 1968. It is imperative that we move promptly to continue this authority beyond the June 30, 1968, date.

Mr. President, last year when we extended the authority, the U.S. Department of Agriculture in testifying for the bill indicated that steps were being taken to remedy the situation. There had been, at that time, reasonable prospect that the problem would have diminished to a point that further extension of the authority would not have been necessary. However, as the Department testified then, several large producers had their milk removed from the market because of DDT residue. The problem had in fact not been solved. The local dairymen, the State Governments involved, dairy and cotton associations, and the U.S. Department of Agriculture have been cooperating in an effort to rid us of this problem. The problem, however, still continues and it appears that it will continue for the foreseeable years to come.

For the above reasons, I believe it is not only urgent that we act to extend this authority but it should be extended for a sufficient period to permit the Secretary of Agriculture to make the necessary indemnity payments without having to keep coming back to the Congress year after year for the same legislation. If it should develop that the problem is solved prior to the three year extension which we are now seeking—and we all certainly hope that a solution can soon be found—nothing would be lost since the Secretary is authorized to indemnify only those losses which actually occur. If there are no losses, the Secretary indemnifies nothing. However, the authority would be there for him to use in the event a solution is not found—which would seem the most probable occurrence.

Mr. President, with all of us eyeing an early adjournment date, it is doubly urgent that we acquire early action on this measure. Not only do we need to seek the extension of authority but we must also go before the Senate Appropriations Committee and seek the necessary funds to carry this program out in a supplemental appropriation. I, therefore, urge prompt action.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the text of this measure be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 90-95, approved September 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

SENATE JOINT RESOLUTION 176— INTRODUCTION OF JOINT RESOLUTION DESIGNATING SALUTE TO EISENHOWER WEEK

Mr. PEARSON. Mr. President, Dwight D. Eisenhower, former President of the United States, General of the Army, respected world leader, and one of America's truly great men will celebrate his 78th birthday on October 14, 1968.

I believe that it is altogether fitting and proper that the Nation take the opportunity of this occasion to honor and to pay special tribute to this great American and the ideals for which he has stood throughout his long, productive and exemplary life.

Therefore, I introduce today for Sen-

ator MORTON and myself a joint resolution authorizing the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week."

Such a salute to General Eisenhower would be particularly appropriate at this time. His commitment to the cause of world peace serves to remind all of us that this greatest of all of man's dreams must be pursued with persistence, imagination and dedicated resolve. His personal courage and military leadership serve as an inspiring example to all our men in uniform.

This tribute is especially deserving for a great man who has unselfishly devoted his entire life to the honorable service of his country and to the cause of freedom and peace.

Mr. President, I ask unanimous consent that this joint resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 176) to authorize the President to designate the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week," introduced by Mr. PEARSON, for himself and Mr. MORTON, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 176

Whereas Dwight D. Eisenhower, former President of the United States, General of the Army, and world leader, has unselfishly devoted his entire life to the honorable service of his country and the cause of freedom and peace; and

Whereas the dedication of President Eisenhower to world peace serves as an ideal and a goal for men everywhere; and

Whereas his personal courage and military leadership serve as an inspiration for all men of the Armed Forces of the United States; and

Whereas President Eisenhower will celebrate his seventy-eighth birthday on October 14, 1968: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the outstanding service rendered by Dwight D. Eisenhower to his country and the world, the President is hereby authorized and requested to issue a proclamation designating the calendar week beginning October 13, 1968, as "Salute to Eisenhower Week" and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

SENATE JOINT RESOLUTION 177— INTRODUCTION OF JOINT RESOLUTION PROCLAIMING "BIBLE TRANSLATION DAY"

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a joint resolution to authorize the President to issue a proclamation designating the 30th day of September 1968 as "Bible Translation Day."

I am particularly interested in the passage of this resolution because of my admiration and respect for the Summer Institute of Linguistics, which operates a linguistics institute, among other places, at the University of Oklahoma

each summer. This joint resolution is the same one which has passed the Senate before. It has the support of the various groups active in Bible translation. I hope that it will be passed again.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 177) to authorize the President to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day," introduced by Mr. HARRIS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 177

Whereas there are over two thousand tribes living generally in out-of-the-way areas of the world in cultural isolation without books or even an alphabet and much less the Bible; and

Whereas the translation of the Bible into these tribal languages requires that an alphabet and a thorough grammatical analysis of the language be produced, and results in an expansion of literacy and an improvement of the cultural base of the language groups affected; and

Whereas this effort has cultural, economic, social, and political significance quite apart; and

Whereas a large group of linguistic scholars trained at the Universities of Oklahoma, North Dakota, Washington, Michigan, Indiana, California, Pennsylvania, Texas, and elsewhere are engaged in this task on a non-sectarian basis with the cooperation of foreign governments and institutions of higher learning, and deserve our encouragement; and

Whereas the first translator of both the Old and New Testaments, Saint Jerome, died on the 30th of September: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the 30th day of September in 1968 as "Bible Translation Day" and inviting the governments of States and communities and the people of the United States to observe such a day with appropriate ceremonies and activities.

SENATE RESOLUTION 303—RESOLUTION TO AUTHORIZE PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "RIOTS, CIVIL AND CRIMINAL DISORDERS"

Mr. McCLELLAN submitted the following resolution (S. Res. 303); which was referred to the Committee on Rules and Administration:

S. RES. 303

Resolved, That there be printed for the use of the Committee On Government Operations one thousand additional copies of Part 8 of the hearings before its Permanent Subcommittee on Investigations during the Ninetieth Congress, second session, entitled "Riots, Civil and Criminal Disorders."

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—AMENDMENT

AMENDMENT NO. 848

Mr. SCOTT. Mr. President, the beginning of conversations between represent-

House

July 1, 1968

- 3 -

The Agriculture Committee voted to report (but did not actually report) :
~~water and sewer grants prior to completion of a comprehensive plan, increase
the amount of unsold insured loans that may be made out of the fund, raise
the aggregate annual limits on grants, and remove the annual ceiling on in-
sured loans; and H. R. 17752, to provide indemnity payments to dairy farmers.~~
p. D626

9. CONSERVATION. Received the conference report on S. 1401, to amend title I of the Land and Water Conservation Fund Act of 1965 (H. Rept. 1598). p. H5881

10. HEALTH. The Rules Committee reported a resolution for the consideration of H. R. 15758, to amend the Public Health Service Act, to extend and improve regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, and to provide for specialized facilities for alcoholics and narcotic addicts. p. H5882

11. HOUSING. The Rules Committee reported a resolution for the consideration of H. R. 17989, to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development. p. H5882

Rep. Widnall inserted his supplemental views on the housing bill. pp. H5856-8

Rep. St. Germain commended the housing bill and inserted a supporting editorial. pp. H5879-80

12. TECHNICAL SERVICES. The Interstate and Foreign Commerce Committee reported with amendment H. R. 16824, to extend for an additional year the authorization of appropriations under the State Technical Services Act of 1965 (H. Rept. 1607). p. H5882

13. FARM PROGRAM. Rep. Madden spoke against extending farm subsidies through 1970 and inserted a letter from the American Farmer Bureau Federation urging the defeat of H. R. 17126, the farm bill. p. H5856

SENATE

14. WATER RESOURCES. The Interior and Insular Affairs Committee reported without amendment S. 3575, to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments (S. Rept. 1347). p. S7953

15. RECREATION. The Interior and Insular Affairs Committee reported with amendment H. R. 9098, to revise the boundaries of the Badlands National Monument in the State of S. Dak., to authorize exchange of land mutually beneficial to the Oglala Sioux Tribe and the United States (S. Rept. 1349). p. S7953
Passed with amendments S. 827, to establish a nationwide system of trails (pp. S7961-71). Agreed to committee amendments en bloc (p. S7964). Agreed to Sen. Symington's amendment to include the Potomac Heritage Trail in Va. between Great Falls Park and Spout Run to be developed and maintained primarily as a footpath (p. S7964).

16. APPROPRIATIONS. The Appropriations Committee reported with amendments H.R. 18038, the legislative branch appropriation bill, 1969 (S. Rept. 1350). p. S7953
17. HIGHWAYS. Passed with amendments S. 3418, to authorize appropriations for the fiscal years 1970-71 for the construction of certain highways in accordance with title 23 of the United States Code (pp. S8015-44, S8053-4, S8056-63). Agreed to committee amendments en bloc (p. S8042). Agreed to Sen. Jackson's amendment that in highway construction an effort be made to preserve the natural beauty of the countryside, public parks, and recreation lands, wildlife refuges, and historic sites (p. S8042). Agreed to Sen. Spong's amendments to make it possible for the District of Columbia to participate in a relocation assistance and land acquisition program (p. S8044) and to allow the District of Columbia to transfer certain land to Interior in exchange or as replacement for park, parkway, and playground lands transferred to the District for public purposes (p. S8044).
18. FLOOD CONTROL. Began consideration of S. 3710, to authorize the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. pp. S8063-4
19. WILDERNESS. The Interior and Insular Affairs Committee voted to report (but did not actually report) the following wilderness bills: S. 4739, to authorize the Secretary of the Interior to grant long term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., S. 1385, to amend section 3 of the "Act to provide for the disposal of materials on the public lands of the United States" relating to the disposition by Interior of moneys obtained from the sale of materials from public lands, S. 3379, to designate certain lands in the Great Swamp National Wildlife Refuge, Morris Co., N. J., as wilderness, S. 3343, to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River Co., Fla., as wilderness, and S. 3502, to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Mich., the Gravel Island and Green Bay National Wildlife Refuges in Wisc., and the Moosehorn National Wildlife Refuge in Maine, as wilderness. pp. D624-5
20. TRADE. Sen. Hansen expressed concern over "America's increasingly unfavorable balance of trade" and inserted supporting articles. pp. S7991-2
21. RADIATION. Sen. Hart inserted Sen. Bartlett's statement outlining his proposed amendments to the proposed Radiation Control Act of 1968. pp. S7994-5
22. TOBACCO. Sen. Moss expressed pleasure at the report that people are "decreasing their use of tobacco." pp. S8011-13
23. GRAPES. Sen. Murphy was appalled at reports that New York City government has entered into a secondary boycott by New York City retail grocery chain stores against the use of Calif. table grapes and inserted related articles. p. S8064

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

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FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued July 3, 1968
For actions of July 2, 1968
90th-2nd; No. 114

CONTENTS

Adjournment.....	28	Federal aid.....	24,40	Peanuts.....	43
Animal drugs.....	6	Flood control.....	17,52	Personnel.....	4,21,39,58
Appropriations....	13,24,56	Food stamps.....	1,12	Pine gum.....	1
Census.....	25	Foreign agriculture....	22	Poverty.....	23,35
Coffee.....	44,53	Foreign aid.....	3,36	Public Law 480.....	8
Conservation.....	14,34	Foreign trade.....	11,46	Public works.....	17,52
Consumer.....	33	Freight rates.....	32	REA loans.....	20
Cotton.....	54	Grains.....	18	Reclamation.....	2,15
County committee		Health.....	39,48	Retirement.....	4,39
employees.....	58	Highways.....	7	Safety.....	48
Credit banks.....	45	Hunger.....	38	Technical services.....	51
Dairy indemnity.....	1	Indemnity payments.....	1	Transportation..	5,10,27,32
Defense production...	49,57	Lands.....	41	Trees.....	29
Education.....	9,30	Milk marketing.....	37	Water.....	19,31,47
Electrification.....	20,26	Ombudsman.....	55	Watersheds.....	19
Employment.....	42	Orange juice.....	1	Wildlife.....	16
Farm income.....	43	Organization.....	50		

HIGHLIGHTS: Both Houses agreed to conference report on second supplemental appropriation bill. House committee reported dairy indemnity, food stamp, and pine-gum price support bills. Conferees agreed to file report on Public Law 480 bill. Senate subcommittee approved grain inspection bill. House debated highway authorization bill. House Rules Committee cleared foreign aid authorization bill.

HOUSE

1. DAIRY; ~~FOOD STAMP; PINE GUM; ORANGE JUICE.~~ The Agriculture Committee reported without amendment H. R. 17752, to provide indemnity payments to dairy farmers (H. Rept. 1614); H. R. 18249, to amend the Food Stamp Act (H. Rept. 1619); S. 2511, to maintain and improve the income of producers of crude pine gum and stabilize production of crude pine gum (H. Rept. 1620); and S. 3143, to make frozen concentrated orange juice subject to the provisions of the Commodity Exchange Act (H. Rept. 1621). p. H5954

2. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 5117, the Palmetto Bend reclamation project (H. Rept. 1610); H. R. 9362, the Mountain Park reclamation project, Okla. (H. Rept. 1611); and S. 6, the first state of the Oahe unit, James division, Missouri River Basin project, S. Dak., (H. Rept. 1612). p. H5954
The Foreign Affairs Committee voted to report (but did not actually report) S. 660, granting the consent of the Congress to a Great Lakes Basin Compact. p. D634
3. FOREIGN AID. The Rules Committee reported a resolution for the consideration of H. R. 15263, the foreign aid authorization bill. p. H5954
4. PERSONNEL. The Rules Committee reported a resolution for the consideration of H. R. 17682, relating to retirement financing. p. H5954
5. MARITIME PROGRAM. The Merchant Marine and Fisheries Committee reported with amendment H. R. 13940, to provide a new maritime program (H. Rept. 1622). p. H5954
6. ANIMAL DRUGS. Concurred in Senate amendments to H. R. 3639, to amend the Federal Food, Drug, and Cosmetic Act, to consolidate into one place in the law all of the principal provisions of the act which relate to premarketing clearance of new drugs for administration to animals, either directly or in their feed and water. This bill will now be sent to the President. pp. H5899-900
7. HIGHWAYS. Continued debate on H. R. 17134, the highway authorization bill. pp. H5933-44, H5948-53
8. PUBLIC LAW 480. The "Daily Digest" states that the conferees agreed to file a report on S. 2986, to extend the Agricultural Trade Development and Assistance Act. p. D635
9. EDUCATION. The Education and Labor Committee voted to report (but did not actually report) H. R. 15067, the higher education amendments. p. D634
10. TRANSPORTATION. The Public Works Committee voted to report (but did not actually report) S. 2658, limitations on truck weights and widths. p. D635
11. FOREIGN TRADE. Rep. Farbstein proposed the ending of the "most-favored-nation privileges which Poland receives in its trade with the United States." p. H5885
12. FOOD STAMPS. Rep. St. Germain commended the food stamp program and stated we should "authorize adequate appropriations for a long enough period so that the States may plan and implement their programs." pp. H5945-6

SENATE

13. APPROPRIATIONS. Both Houses agreed to the conference report on H. R. 17734, the

EXTENSION OF DAIRY INDEMNITY PAYMENTS AUTHORITY

JULY 2, 1968.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POAGE, from the Committee on Agriculture,
submitted the following

REPORT

[To accompany H.R. 17752]

The Committee on Agriculture, to whom was referred the bill (H.R. 17752) to provide indemnity payments to dairy farmers, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this bill is to extend until June 30, 1969, the legislative authority for the Secretary of Agriculture to make indemnity payments to dairy farmers who, through no fault of their own, have their milk removed from commercial markets because it has been contaminated by residues of chemicals registered and approved for use by the Federal Government.

The original dairy indemnity authority was contained in section 331 of Public Law 88-452, and this authority has been previously extended four times by Congress, but it expired on June 30, 1968.

NEED

This extension of dairy indemnity payment authority is necessary in order to reimburse dairy farmers for their economic loss incurred as a result of the condemnation of their milk production if they followed Government recommendations concerning the use of agricultural chemicals and their milk production subsequently became contaminated by the residues of these chemicals. Department of Agriculture representatives testified that the probable cause in some instances has been the drift of insecticides applied on nearby fields by aircraft, the contaminated dust wind blown from a neighbor's field on to the pasture

grasses of a dairyman or the unknowing acquisition by dairymen of feed which has been contaminated by the seller prior to harvest. This last cause is considered minor.

The scope and extent to which this problem has affected the dairy industry are best illustrated by the expenditures in the following table listing the payments the Department has made under the milk indemnity payment program:

EXPENDITURES UNDER MILK INDEMNITY PAYMENT PROGRAM

	Fiscal year expenditures				Total
	1965	1966	1967	1968	
Arizona.....		\$1,265.56			\$1,265.56
Arkansas.....				¹ \$10,000.00	
California.....	\$14,356.64	3,838.34	\$8,132.68	22,584.23	58,911.89
Colorado.....				2,123.00	2,123.00
Florida.....					
Georgia.....	1,258.89	9,359.99			10,618.88
Idaho.....	3,630.52			¹ 6,000.00	9,630.52
Illinois.....	226.91	223.52	281.76		732.19
Iowa.....	1,368.05	20,794.58			22,162.63
Kansas.....	8,350.00	77,614.58			85,964.58
Louisiana.....	7,469.47				7,469.47
Maryland.....	164,747.00	13,868.06			178,615.06
Michigan.....	215.22				215.22
Minnesota.....	619.46				619.46
Mississippi.....		3,583.17	1,428.25		5,011.42
Missouri.....	736.49	914.45			1,650.94
Montana.....				38,369.06	38,369.06
Nebraska.....		4,505.37	2,373.10		6,878.47
New York.....			7,822.14		7,822.14
North Carolina.....	4,077.93				4,077.93
Pennsylvania.....	55,746.45				55,746.45
South Dakota.....	1,019.21				1,019.21
Tennessee.....	4,564.48				4,564.48
Texas.....			244,473.10	\$97,723.56	342,196.66
Utah.....	29,896.80				29,896.80
Virginia.....	23,299.85				23,299.85
West Virginia.....	13,740.07	3,576.33			17,316.40
Wisconsin.....	14,609.25	11,066.90	15,062.48	21,127.00	61,865.63
Total.....	349,932.69	150,610.85	279,573.51	197,926.85	978,043.90

¹ Estimated June 11, 1968.

Note: Figures for 1968 include applications paid, applications filed but not paid as of this date and estimates where producers are off the market, but applications have not been received.

COST

The Department of Agriculture anticipates that milk indemnity payments will probably be on the order of \$200,000 for fiscal year 1969, the period covered by this legislation.

ADMINISTRATION POSITION

The Department of Agriculture appeared, testified and supplied the table above. It neither opposes nor supports the measure. The Department has in the past supported similar bills purely as an interim measure, which this bill is intended to be. It is hoped that research will soon eliminate the necessity for this type of program, but in the interim, it is felt that the farmers who suffer losses through no fault of their own as a result of the use by third parties of pesticides approved for use by the Federal Government should be compensated when their milk is removed from the market.

Union Calendar No. 653

90TH CONGRESS
2D SESSION

H. R. 17752

[Report No. 1614]

IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 1968

Mr. WHITE (for himself and Mr. PRYOR) introduced the following bill; which
was referred to the Committee on Agriculture

JULY 2, 1968

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To provide indemnity payments to dairy farmers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of Agriculture is authorized to make
4 indemnity payments, at a fair market value, to dairy farmers
5 who have been directed since January 1, 1964, to remove
6 their milk from commercial markets because it contained
7 residues of chemicals registered and approved for use by
8 the Federal Government at the time of such use. Such indem-
9 nity payments shall continue to each dairy farmer until he
10 has been reinstated and is again allowed to dispose of his
11 milk on commercial markets.

1 SEC. 2. There is hereby authorized to be appropriated
 2 such sums as may be necessary to carry out the purposes
 3 of this Act.

4 SEC. 3. The authority granted under this Act shall ex-
 5 pire on June 30, 1969.

Union Calendar No. 653

90TH CONGRESS
 2D SESSION

H. R. 17752

[Report No. 1614]

A BILL

To provide indemnity payments to dairy
 farmers.

By Mr. WHITE and Mr. PRYOR

JUNE 10, 1968

Referred to the Committee on Agriculture

JULY 2, 1968

Committed to the Committee of the Whole House on
 the State of the Union and ordered to be printed

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued July 5, 1968
For actions of July 3, 1968
90th-2nd; No. 115

CONTENTS

Adjournment.....8,22	Highways.....9	Redwood Park.....11
Appropriations.....10	Housing.....21	Scenic rivers.....11
Cigarettes.....28	Hunger.....27	Shipping.....14
Cooperatives.....19	Indemnity payments.....1	Taxation.....30,33
Dairy.....1	Information.....34	Technical services.....12
Education.....18	Legislative program.....21	Textiles.....20,32
Electrification.....17	Loans.....3,13	Trails.....11
Employment.....6	National parks.....38	Transportation....14,19,36
Farm program.....25	Opinion polls.....29	Water.....5,31
Flood insurance.....24	Poverty.....23	Watersheds.....7
Foreign aid.....21,26	Public Law 480.....16	Wildlife.....12
Foreign trade.....36	Reclamation.....5,15	
Grains.....2	Recreation...4,11,13,35,38	

HIGHLIGHTS: Senate committee voted to report dairy indemnity and grain inspection bills. House committee reported scenic rivers, Redwood National Park, and nationwide trails bills. House committee reported FHA loan bill. House received Public Law 480 conference report. House passed road authorization bill. House subcommittee voted to report co-op tax exemption bill. Rep. Arends stated farmer is "forgotten man."

SENATE

1. DAIRY. The Agriculture and Forestry Committee voted to report (but did not actually report) S. 3638, to extend the authority for indemnity payments to dairy farmers who are directed to remove their milk from markets because it contains certain chemical residues. p. D637

2. GRAINS. The Agriculture and Forestry Committee voted to report (but did not actually report) H.R. 15794, to amend the laws relating to the inspection and grading of grain. p. D638
3. LOANS. The Agriculture and Forestry Committee voted to report (but did not actually report) H.R. 15562, to extend the act which authorizes loans by the Secretary of Agriculture on leasehold interests in Hawaii. pp. D637-8
4. RECREATION. Passed as reported H.R. 9098, to revise the boundaries of the Badlands National Monument in S. Dak. The bill provides for transfer to Interior of about 253,000 acres of gunnery range lands declared excess to the needs of the Air Force. pp. S8167-8
5. RECLAMATION. Passed without amendment S. 3575, to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments. p. S8166
6. EMPLOYMENT. Agreed to H. Con. Res. 705, to express the sense of Congress that employment opportunities should be made available to veterans who return from military service in Vietnam and elsewhere. pp. S8165-6
7. WATERSHEDS. The Agriculture and Forestry Committee voted to report (but did not actually report) plans for works of improvement on certain watershed projects. p. D638
8. ADJOURNED until Mon., July 8. p. S8200

HOUSE

9. HIGHWAYS. Passed with amendment S. 3418, the highway authorization bill (pp. H5958-96). Agreed to an amendment by Reps. McCarthy and Cramer "to prevent Federal control over local parks and recreation areas in the future" (pp. H5960-63). Rejected a motion by Rep. Schwengel to recommit the bill (p. H5980). H. R. 17134, a similar bill passed earlier with amendments was tabled.
10. APPROPRIATIONS. Passed with amendments H.R. 18188, the Transportation Department appropriation bill (pp. H5996-6018). Rejected a motion by Rep. Gross to recommit the bill (p. H6018).
11. SCENIC RIVERS; REDWOOD NATIONAL PARK; TRAILS. The Interior and Insular Affairs Committee reported without amendment H.R. 18260, to provide for a national scenic rivers system (H. Rept. 1623); with amendment S. 2515, to authorize the establishment of Redwood National Park (H. Rept. 1630); and with amendment H.R. 4865, to establish a nationwide system of trails (H. Rept 1631). p. H6047
12. WILDLIFE; TECHNICAL SERVICES. The Rules Committee reported resolutions for the consideration of H.R. 11618, to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and H.R. 16824, to extend for an additional year the authorization of appropriations under the State Technical Services Act of 1965. p. H6047

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued July 9, 1968
For actions of July 8, 1968
90th-2nd; No. 116

CONTENTS

Award.....14	Housing.....1,20	Pollution.....9
Appropriations.....10	Hunger.....19,26	Reclamation.....13
Dairy.....6	Indians.....17	Report.....12
Education.....2,22	Indemnity payments.....6	Research.....11,27
Expositions.....25	Information.....25	River basin.....13
Farm income.....23	International economic	Rural development.....14
Farm program.....23	policy.....21	Textiles.....4
Farmers.....18	Lands.....3,7,24	Trade policies.....4
Foreign aid.....16	Loans.....7	Watersheds.....5
Foreign trade.....4	Parity price.....23	Wilderness.....8
Forest Service.....12	Peanuts.....23	Wildlife.....15

HIGHLIGHTS: Senate committee reported dairy indemnity bill. Senate committee reported wilderness bills. House debated housing bill. Rep. Gurney introduced and discussed bill to create committee on hunger.

HOUSE

1. HOUSING. Began debate on H. R. 17989, to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development. pp. H6054-92, H6112-13
2. EDUCATION. The Education and Labor Committee reported H. R. 18366, to amend the Vocational Education Act of 1963 (H. Rept. 1647); and H. R. 15067, to amend the Higher Education Act of 1965, with amendment (H. Rept. 1649). p. H6116

3. LANDS. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action H. R. 13797, amended, to authorize the sale of certain public lands; and H. R. 4530, amended, relating to the issuance of patents for lands held under the color of title, to liberalize the requirements for the conveyance of the mineral estate. p. D643
4. TRADE POLICIES. Rep. St Germain expressed concern that "imports rose 4 percent during the month of May" and "our exports declined 6 percent" and suggested "proper adjustment in our trade policies." He inserted an article, "Textile-Apparel Industry to World: 'Open the Door'". pp. H6096-7
Rep. Dent warned of "the increasing dangers of our free trade policy" and inserted an article, "Things Look Up for Mexico as U.S. Firms Cross the Border." pp. H6110-11
5. WATERSHEDS. Both Houses received from this Department plans for works of improvement on several watershed projects; to H. Agriculture and S. Agriculture and Forestry Committees (pp. H6115, S8204). The House received from this Department plans for works of improvement under the provisions of the Watershed Protection and Flood Prevention Act involving structures of more than 4,000 acre-feet of total capacity; to Public Works Committee (p. H6115).

SENATE

6. DAIRY. The Agriculture and Forestry Committee reported without amendment S. 3638, to extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government (S. Rept. 1363). p. S8205
7. LANDS. The Agriculture and Forestry Committee reported without amendment H. R. 15562, extending the act which authorizes loans by the Secretary of Agriculture on lease-hold interests in Hawaii (S. Rept. 1365). p. S8205
8. WILDERNESS. The Interior and Insular Affairs Committee reported without amendment H. R. 4739, to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif. (S. Rept. 1364); with amendment S. 3343, to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness (S. Rept. 1366); S. 3379, to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N. J., as wilderness (S. Rept. 1367); S. 3425, to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness (S. Rept. 1368); and S. 3502, to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Mich., the Gravel Island and Green Bay National Wildlife Refuges in Wisc., and the Moosehorn National Wildlife Refuge in Maine, as wilderness (S. Rept. 1369). p. S8205
9. POLLUTION. The Public Works Committee reported with amendment S. 3206, to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and to the conduct of water pollution control research (S. Rept. 1370); and with amendments S. 2525, to amend the Federal

DAIRY INDEMNITY PAYMENTS

JULY 8, 1968.—Ordered to be printed

Mr. HOLLAND, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany S. 3638]

The Committee on Agriculture and Forestry, to which was referred the bill (S. 3638), to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

This bill extends to June 30, 1971, the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers whose milk is removed from commercial markets because it contains residues of chemicals approved by the Federal Government. The existing statutory authority expired June 30, 1968.

This legislation, its need, and background are explained in the attached statement of Senator Montoya.

STATEMENT OF SENATOR MONTOYA

This bill which we are introducing today would extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. Mr. President, the dairy farmers of this country have been plagued for a number of years by a problem which is not of their making and for which the Federal Government must take full responsibility.

The problem which our dairy farmers are facing has been brought about by the use of chemicals approved by the Federal Government to dust crops. Some of these chemicals have been found to contaminate feeds. The contamination passes on into the milk and when the

residues of pesticides is found to be of too high a level, the farmers are forced to dump their milk, taking it out of commercial channels. The result has been disastrous to the dairy farmers involved, some of which have had to go into bankruptcy.

Authority was first provided in 1964 to indemnify dairy farmers for their loss. This authority has been extended on several occasions. The present authority expires on June 30, 1968. It is imperative that we move promptly to continue this authority beyond the June 30, 1968, date.

Mr. President, last year when we extended the authority, the U.S. Department of Agriculture in testifying for the bill indicated that steps were being taken to remedy the situation. There had been, at that time, reasonable prospect that the problem would have diminished to a point that further extension of the authority would not have been necessary. However, as the Department testified then, several large producers had their milk removed from the market because of DDT residue. The problem had in fact not been solved. The local dairymen, the State governments involved, dairy and cotton associations, and the U.S. Department of Agriculture have been cooperating in an effort to rid us of this problem. The problem, however, still continues and it appears that it will continue for the foreseeable years to come.

For the above reasons, I believe it is not only urgent that we act to extend this authority but it should be extended for a sufficient period to permit the Secretary of Agriculture to make the necessary indemnity payments without having to keep coming back to the Congress year after year for the same legislation. If it should develop that the problem is solved prior to the 3-year extension which we are now seeking—and we all certainly hope that a solution can soon be found—nothing would be lost since the Secretary is authorized to indemnify only those losses which actually occur. If there are no losses, the Secretary indemnifies nothing. However, the authority would be there for him to use in the event a solution is not found—which would seem the most probable occurrence.

Mr. President, with all of us eyeing an early adjournment date, it is doubly urgent that we acquire early action on this measure. Not only do we need to seek the extension of authority but we must also go before the Senate Appropriations Committee and seek the necessary funds to carry this program out in a supplemental appropriation. I, therefore, urge prompt action.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Public Law 90-95, 90th Congress, S. 1657, September 28, 1967

AN ACT to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

SEC. 3. The authority granted under this act shall expire on June 30, **[1968]** 1971.



Calendar No. 1342

90TH CONGRESS
2D SESSION

S. 3638

[Report No. 1363]

IN THE SENATE OF THE UNITED STATES

JUNE 12, 1968

Mr. BYRD of West Virginia (for Mr. MONTOKA, Mr. EASTLAND, Mr. HARRIS, Mr. JAVITS, Mr. LONG of Missouri, Mr. MCGOVERN, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MUNDT, Mr. NELSON, Mr. PROXMIRE, and Mr. YARBOROUGH) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JULY 8, 1968

Reported by Mr. HOLLAND, without amendment

A BILL

To extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 3 of Public Law 90-95, approved September
4 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by
5 striking out "June 30, 1968" and inserting in lieu thereof
6 "June 30, 1971".

90TH CONGRESS
2D SESSION

S. 3638

[Report No. 1363]

A BILL

To extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

By Mr. BYRD of West Virginia (for Mr. MONTROYA, for himself, Mr. EASTLAND, Mr. HARRIS, Mr. JAVITS, Mr. LONG of Missouri, Mr. MCGOVERN, Mr. MANSTFIELD, Mr. METCALF, Mr. MILLER, Mr. MUNDT, Mr. NELSON, Mr. PROXMIRE, and Mr. YARBOROUGH)

JUNE 12, 1968

Read twice and referred to the Committee on
Agriculture and Forestry

JULY 8, 1968

Reported without amendment

July 10, 1968

10. ELECTRIFICATION; RECREATION. Reps. Goodling and Eshleman commended the Holtwood hydroelectric project on the Susquehanna River in Pa. as a great recreational potential. pp. H6307-8
11. FARM PROGRAM. Rep. Kleppe inserted a copy of his letter to House Members commending the farm bill and urging their "thoughtful consideration." p. H6308
12. FOREIGN AID. Rep. Gonzalez spoke in support of the President's foreign aid program. p. H6308
Rep. Matsunaga stated in considering the foreign aid bill the House should consider "the impact of the foreign aid program upon the peoples of developing nations" and inserted an article, "Still Much To Be Done in Agriculture Aid." pp. H6316-18

SENATE

13. APPROPRIATIONS. The Appropriations Committee reported with amendments July 9, during adjournment, H. R. 17023, the independent offices and HUD appropriation bill (S. Rept. 1375). p. S8342
A subcommittee of the Appropriations Committee approved for full committee consideration H. R. 18188, the Department of Transportation appropriation bill. p. D657
14. LANDS. Passed without amendment H. R. 16065, to direct the Secretary of Agriculture to release certain conditions in deeds conveying lands to Iowa (p. S8391). This bill will now be sent to the President.
The Interior and Insular Affairs Committee reported with amendments S. 1385, relating to the disposition by the Secretary of the Interior of moneys obtained from the sale of materials from public lands (S. Rept. 1376). p. S8342
The Agriculture and Forestry Committee voted to report (but did not actually report) the following bills: S. 3578, to authorize release of a condition in a deed conveying certain lands to S. C. (amended); S. 3687, to authorize release of a condition in a deed conveying certain lands to Ohio; and S. 3736, to authorize the sale to Central, N. Mex., of certain lands which were formerly part of the Fort Bayard Military Reservation. p. D656
Sen. Jackson announced a hearing on legislation dealing with Alaska native land claims will be held before the Interior and Insular Affairs Committee on Fri., July 12, in Room 3110, New Senate Office Building. p. S8346
15. WILDERNESS. Passed as reported S. 3502, to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness. pp. S8340-1
Passed as reported S. 3425, to designate certain lands in the Monomoy National Wildlife Refuge Barnstable County, Mass., as wilderness. pp. S8339-40
Passed as reported S. 3379, to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N. J., as wilderness. p. S8339
Passed as reported S. 3343, to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness. pp. S8338-9

16. RECREATION. Passed without amendment H. R. 4739, to authorize the Secretary of the Interior to grant long term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif. p. S8340
17. LOANS. Passed without amendment H. R. 15562, to continue for 2 years, through June 30, 1970, the Farmers Home Administration's authority to make loans to lessee-operators of farmland in the State of Hawaii (p. S8341). This bill will now be sent to the President.
18. DAIRY. Passed without amendment S. 3638, to extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. p. S8338
19. ELECTRIFICATION. Passed as reported S. 2445, to amend the Federal Power Act to clarify the licensing authority of the Commission and the right of the U. S. to take over a project or projects upon or after the expiration of any license shall be exercised. pp. S8389-90
20. TRANSPORTATION. Concurred in House amendments to S. 3102, to postpone for two years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards (pp. S8388-9). This bill will now be sent to the President.
21. NOMINATION. Confirmed the nomination of James H. McCrocklin to be Under Secretary of Health, Education, and Welfare. pp. S8337, S8404
22. FARM PROGRAM. The Daily Digest states that the "Committee on Agriculture and Forestry, in executive session, by a vote of 10 to 5, ordered reported without amendments S. 3590, extending and improving programs to maintain farm income, stabilize prices, and assure adequate supplies of agricultural commodities. As approved by the committee the bill would provide a four-year extension of the present farm program, including the class-I milk base program. Committee agreed to strike the title of the bill relative to farm bargaining." p. D656
Sen. Long, Mo., expressed hope that the Senate will act this year on this bill to "benefit all farmers in Missouri and across the Nation." pp. S8372-3
23. WATERSHEDS. The Agriculture and Forestry Committee approved plans for works of improvement on several watershed projects. p. D656
24. MANPOWER. The Labor and Public Welfare Committee voted to report (but did not actually report) S. 2938, to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended. p. D657
25. HUNGER. The Labor and Public Welfare Committee voted to report (but did not actually report) S. Res. 281, to establish a Select Committee on Nutrition and Human Needs. p. D657



United States
of America

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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

Vol. 114

WASHINGTON, WEDNESDAY, JULY 10, 1968

No. 118

Senate

The Senate met at 12 noon, and was called to order by Hon. CARL T. CURTIS, a Senator from the State of Nebraska. Rev. Benjamin E. Sheldon, pastor, Sixth Presbyterian Church, Washington, D.C., offered the following prayer:

Our loving heavenly Father, we want to confess our deep dependence on You, our Creator and Redeemer. There is no wisdom or strength that does not have its source in Your great wisdom and power. Ours is but a reflection of Yours, Lord, and today we pray that to Your servants in the U.S. Senate may be given a humble dependence on God, a simple trust in His way of goodness and truth, and a yearning for a new measure of wisdom and power to meet the demands of this crisis hour in our world.

Do not let us settle for less than God's way in the midst of the darkness of these days. Keep the light of God burning in our land and in our hearts today. Even though we falter and often fail, help us still to believe that to him who asks it will be given, he who seeks will find, and to him who knocks it will be opened.

May the spirit of God direct our way this day through Jesus Christ our Lord and Savior. We offer this prayer in His name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 10, 1968.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CARL T. CURTIS, a Senator from the State of Nebraska, to perform the duties of the Chair during my absence.
CARL HAYDEN,
President pro tempore.

Mr. CURTIS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 9, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On June 29, 1968:

S. 1028. An act to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; and

S.J. Res. 180. Joint resolution to provide franked mail privileges for surviving spouses of Members of Congress.

On July 2, 1968:

S. 3363. An act to name the U.S. customhouse, Providence, R.I., the "John E. Fogarty Federal Building."

On July 5, 1968:

S. 171. An act for the relief of Timothy Joseph Shea and Elsie Annet Shea; and

S. 3159. An act authorizing the Trustees of the National Gallery of Art to construct a building or buildings on the site bounded by Fourth Street, Pennsylvania Avenue, Third Street, and Madison Drive NW., in the District of Columbia, and making provision for the maintenance thereof.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Executive Reorganization of the Committee on Government Operations and the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Without objection, it is so ordered.

OBJECTION TO COMMITTEE MEETING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

Mr. CURTIS. Mr. President, by request, I make an objection.

The PRESIDING OFFICER. Objection is heard.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The bill clerk read the nomination of James H. McCrocklin, of Texas, to be Under Secretary of Health, Education, and Welfare.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ORDER FOR RECOGNITION OF SENATOR YARBOROUGH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that sometime during the period for the transaction of morning business, at an appropriate time, the distinguished Senator from Texas [Mr. YARBOROUGH] be allowed to proceed for not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 1342 and the succeeding measures in sequence, up to and including Calendar No. 1349.

The PRESIDING OFFICER. Without objection, it is so ordered.

DAIRY INDEMNITY PAYMENTS

The bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 90-95, approved September 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

Mr. BYRD of West Virginia. Mr. President, I wish to rise and speak in favor of S. 3638, a bill to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

The need for this bill is clear.

In order to control insects and weeds in crops, farmers must, of course, use pesticides. Many of these have been approved as safe by the Federal Government. However, as sometimes happens, these chemicals occasionally contaminate feeds and this contamination passes on into the milk produced by dairy farmers.

If the quantity of pesticide in the milk is found to be too strong then, in the public interest, the farmer is required by law to destroy his milk, to his obvious financial disadvantage.

I have cosponsored this bill because the present authority allowing the Federal

Government to reimburse such farmers for their losses expired on June 30 of this year.

Until such time as researchers are able to come up with a solution to this pesticide problem, I think it is our responsibility to permit affected farmers to seek indemnity payments for their losses.

Therefore, Mr. President, I urge speedy passage of this bill.

Mr. YARBOROUGH. Mr. President, as a cosponsor of the milk indemnity payment program, I am pleased to support Senate action on S. 3638. This program, which has been in existence since 1964, authorizes the Secretary of Agriculture to make indemnity payments to dairy farmers who must remove their products from the market because of contamination by residues of chemicals registered and approved for use on crops by the Federal Government. The bill before us today enables the Secretary to continue such payments over the next 3 years.

Over the past 4 years Texas dairymen have been saved from disaster by this program. Of the \$279,000 spent in 1967, Texans received \$244,000. In 1968 the great majority of the indemnity payments again went to Texas. Of the \$137,000 spent in 1968, \$97,000 went to Texans.

Although the bill involves only a small sum of money, these indemnity payments mean a great deal to those farmers who are faced with bankruptcy because they cannot sell their products through no fault of their own. For this reason I am pleased to cosponsor this bill which extends the program another 3 years.

PELICAN ISLAND WILDERNESS AREA

The Senate proceeded to consider the bill (S. 3343), to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 4, strike out:

SEC. 3. Except as necessary to meet minimum requirements in connection with the purposes for which the area is administered (including measures required in emergencies involving the health and safety of persons within the area), there shall be no commercial enterprise, no temporary or permanent roads, no use of motor vehicles, motorized equipment, or motorboats, no landing of aircraft, no other form of motorized transport, and no structure or installation within the area designated as wilderness by this Act.

So as to make the bill read:

S. 3343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Pelican Islands National Wildlife Refuge, Florida, which comprise about four hundred and three acres and which are depicted on a map entitled "Pelican Island Wilderness—Proposed" and dated July 1967 are hereby designated as wilderness. The map shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 2. The area designated by this Act as wilderness shall be known as the "Pelican Island Wilderness" and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1366), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

As recommended by the President, under provisions of the Wilderness Act of 1964 (78 Stat. 890), this bill would designate the Pelican Island wilderness as a unit of the national wilderness preservation system.

BACKGROUND

President Theodore Roosevelt, by an Executive order of March 13, 1903, established the Pelican Island National Wildlife Refuge—the first refuge of a system that has since grown to be the most far-reaching and comprehensive wildlife resource management program in the history of mankind. It is located in Indian River County, Fla., between the towns of Sebastian and Wabasso, some 75 miles north of West Palm Beach. The refuge area islands extend for several miles along the east side of the Indian River north of the Wabasso Bridge.

Visitor use of the islands proper must be held to a minimum throughout the year to avoid conflict with colonial bird nesting, which is the primary refuge objective. Opportunities for public enjoyment of the wildlife resources and water-oriented recreation will be provided in the surrounding waters.

A public hearing on the wilderness proposal was conducted by the Bureau of Sport Fisheries and Wildlife in Vero Beach, Fla., on April 5, 1967. Testimony was unanimously in favor of the wilderness proposal. The primary reason given for supporting the wilderness proposal included protection of colonial birds and their nesting and feeding habitat; protection of estuarine and fisheries resources; long-range preservation of natural areas for scenic, esthetic, and ecological values; preservation vital to long-range social and economic interests of citizens of Indian River County; and preservation of Pelican Island Refuge because of its historical value as the Nation's first national wildlife refuge.

DESCRIPTION

The wilderness area proposal includes all islands within Pelican Island National Wildlife Refuge within T. 31 S., R. 39 E., Tallahassee meridian. Comprising about 403 acres, the islands are Roseate, Pelican, Roosevelt, Horseshoe, North Horseshoe, Long, David, Plug, North and South Oyster, Preachers, Middle, Nelson, Pauls, and the four small islands designated as Egret Island.

A portion of the refuge is on the mainland, but this part was cut up by a mosquito control project before being added to the refuge. It contains numerous roads and is, therefore, not included in the proposal.

AMENDMENT

The committee amended S. 3343 by striking section 3 of the bill. This section was a rephrasing of language in the Wilderness Act defining use restrictions, with some modifications. The committee felt that the new phraseology might have the effect of modifying the basic law, and that it was unnecessary because section 2 directs that the area shall be administered in accordance

S. 3638

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 1968

Referred to the Committee on Agriculture

AN ACT

To extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 3 of Public Law 90-95, approved September
4 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by
5 striking out "June 30, 1968" and inserting in lieu thereof
6 "June 30, 1971".

Passed the Senate July 10, 1968.

Attest:

FRANCIS R. VALEO,

Secretary.

AN ACT

To extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

JULY 11, 1968

Referred to the Committee on Agriculture

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
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Issued July 17, 1968
For actions of July 15th & July 16th, 1968
90th-2nd; No. 122

CONTENTS

Accounting.....26	Foreign trade.....22,43,45	Reclamation.....8,52
Air pollution.....37	Housing.....25	Recreation.....11,44
Animal drugs.....51	Hunger.....3,21,42	Redwood National Park....1
Appropriations.....14,29	Indemnity payments.....4	Reports.....27
Attorneys' fees.....20	Inflation.....23	Research.....40
Commodity exchanges.....7	International development.....18	Scenic rivers.....6
Conservation.....53	Lands.....19,49	Small business.....30
Cooperatives.....5	Law.....17	Taxation.....33
Dairy.....4	Legislative accomplishments.....41	Trade fairs.....10
Education.....38	Legislative program.....28	Trails.....2
Electrification.....9	Nomination.....30	Transportation.....5
Expenditures.....13	Occupational safety.....16	Vegetables.....40
Farm program.....39	Orange juice.....7	Welfare.....39
Farm youth.....32	Organization.....12,35	Wheat.....31
Farmworkers.....36	Poor people.....34	Wilderness.....47
Federal aid.....46	Postal service.....50	Wildlife.....11
Foreign aid.....12,15,27,28,35,48		

HIGHLIGHTS: See page 6

HOUSE - July 15, 1968

1. REDWOOD NATIONAL PARK. Passed, 388-15, under suspension of the rules S. 2515, to authorize the establishment of the Redwood National Park, Calif. pp. H6677-81, E6550
2. TRAILS. Passed with amendment S. 827, to establish a nationwide system of trails. H. R. 4865, a similar bill which was passed earlier under suspension of the rules, was tabled. pp. H6693-706

3. HUNGER. Passed, 164-59, under suspension of the rules H. R. 17144, to establish a Commission on Hunger. pp. H6739-46
4. DAIRY. Passed with amendment S. 3638, to provide indemnity payments to dairy farmers. H. R. 17752, a similar bill which was passed earlier under suspension of the rules, was tabled. pp. H6706-7
5. COOPERATIVES. Passed, 272-106, under suspension of the rules S. 752, to amend the Interstate Commerce Act to clarify this exemption with respect to transportation performed by agricultural cooperative associations for nonmembers. This bill will now be sent to the President. pp. H6728-34
6. SCENIC RIVERS. Passed under suspension of the rules H. R. 18260, to provide for a national scenic rivers system. pp. H6717-28
7. COMMODITY EXCHANGES. Passed under suspension of the rules S. 3143, to make frozen concentrated, orange juice subject to the provisions of the Commodity Exchange Act. pp. H6750-51
8. RECLAMATION. Passed under suspension of the rules H. R. 9362, to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Okla. pp. H6683-7
Passed, 294-104, under suspension of the rules H. R. 5117, to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 of the Palmetto Bend reclamation project, Tex. pp. H6690-93
Passed, 264-128, under suspension of the rules S. 6, to authorize the Secretary of the Interior to construct, operate, and maintain the first state of the Oahe unit, James division, Missouri River Basin project, S. Dak. pp. H6713-17
9. ELECTRIFICATION. Passed with amendment S. 2445, to amend the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the U. S. to take over a project or projects upon or after the expiration of any license shall be exercised. H. R. 12698, a similar bill, which was passed earlier under suspension of the rules, was tabled. pp. H6707-11
10. TRADE FAIRS. Passed, 142-35, under suspension of the rules, H. R. 18340, to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American flag carriers and promote the foreign commerce of the U. S. through the use of mobile trade fairs. pp. H6746-47
11. WILDLIFE. Passed under suspension of the rules H. R. 11026, to amend the act of September 15, 1960, for the purpose of developing and enhancing recreational opportunities and improving the fish and wildlife programs at reservations covered by said act. pp. H6737-39
12. ORGANIZATION. Rep. Roth discussed his bill to establish a "Hoover-type" commission "to study completely and fully the usefulness, scope, and substance of all Federal programs and activities." pp. H6753-63

der northward through Vermont to the Canadian border.

(9) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

(10) Gold Rush Trails in Alaska.

(11) Mormon Battalion Trail, extending two thousand miles from Mt. Pisgah, Iowa, through Kansas, Colorado, New Mexico and Arizona to Los Angeles, California.

SELECTION OF ROUTES FOR NATIONAL SCENIC TRAILS

(d) The Secretary of Interior shall select the rights-of-way for trails designated as national scenic trails by subsection (b) of this section, paragraphs (1) and (4), and the Secretary of Agriculture shall select the rights-of-way for the trails designated by paragraphs (2) and (3). Such rights-of-way shall be (1) of sufficient width and so located to protect natural conditions, scenic and historic features, and primitive character of the trail area, to provide campsites, shelters, and related public-use facilities, and to provide reasonable public access: *Provided, however, That acquisitions in fee or lesser interests (including scenic easements) which are acquired other than by agreement with the landowner shall not exceed a total of fifty acres per mile but acquisition in fee shall not exceed twenty-five acres per mile; and (2) located to avoid, insofar as practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private operations, and any other activities that would be incompatible with the protection of the trail in its natural condition and its use for outdoor recreation.* Where practicable, the right-of-way for the Appalachian Trail shall include lands protected for it under agreements in effect on January 1, 1966, to which Federal agencies and States were parties. The location and width of a national scenic trail right-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting a right-of-way, the appropriate Secretary shall obtain the advice and assistance of the States, local governments, private organizations, landowners, the land users concerned, and the advisory council established under subsection (f) of this section. The appropriate Secretary may revise the location and width of a right-of-way from time to time as required by circumstances, with the consent of the head of any other Federal agency involved, and with the advice and assistance of the aforesaid States, local governments, private organizations, landowners, land users, and the advisory council.

The appropriate Secretary shall publish notice of the selection of a right-of-way in the Federal Register, together with appropriate maps and descriptions. If in his judgment changes in the right-of-way become desirable, he shall make the changes in the same manner.

MARKERS TO IDENTIFY NATIONAL SCENIC TRAILS

(e) The Secretary of the Interior and the Secretary of Agriculture, in consultation with the Federal agencies, States, local governments, private organizations concerned, and the advisory councils, shall erect and maintain the uniform marker for the nationwide system of trails at appropriate points along each national scenic trail route, and shall select a symbol for each such trail for placement upon the uniform marker. Where the trail route passes through Federal lands, such marker shall be erected and maintained by the Federal agency administering the lands. Where the trail route passes through non-Federal lands and is administered under cooperative agreements, the Secretary of the Interior and the Secretary of Agriculture shall require the cooperating agencies to erect and maintain such marker.

ADVISORY COUNCILS FOR NATIONAL SCENIC TRAILS

(f) The Secretary charged with the selection of the right-of-way for a national scenic trail shall establish an advisory council for each such trail. The appropriate Secretary shall consult with any such council from time to time with respect to matters relating to the trail, including the selection of the right-of-way, the selection, erection, and maintenance of the markers along the trail route, and the administration of the trail. The members of an advisory council shall be appointed for a term not to exceed five years by the appropriate Secretary as follows:

(1) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency.

(2) A member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States.

(3) One or more members appointed to represent landowners and private organizations that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of landowners and the heads of such organizations. In the case of the Appalachian Trail, the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the trail passes.

The appropriate Secretary shall designate one member to be chairman. Any vacancy in a council shall be filled in the same manner as the original appointment.

Members of an advisory council shall serve without compensation, but the appropriate Secretary may pay the expenses reasonably incurred by the council in the performance of its functions upon presentation of vouchers signed by the chairman.

ACQUISITION, DEVELOPMENT, AND ADMINISTRATION OF LANDS FOR NATIONAL SCENIC TRAILS

(g) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national scenic trail as provided in subsection (d) of this section, the heads of Federal agencies may (1) enter into written cooperative agreements with landowners, States, local governments, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) subject to limitations set forth in subsection (d) hereof, acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange.

(h) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the States through which the trail passes and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(i) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the States or local governments involved shall be encouraged (1) to enter into written cooperative agreements with landowners, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) to acquire, develop,

and administer such lands or interests therein: *Provided, That if the State or local governments fail to enter into such agreements or to acquire such lands or interests therein within two years after the selection of the right-of-way, the Secretary charged with the selection of the right-of-way may (1) enter into such agreements with landowners, States, local governments, private organizations, and individuals; and (2) acquire private lands or interests therein by donation, purchase with donated or appropriated funds, or exchange, and may develop and administer such lands or interests therein: Provided further, That exchanges shall be governed by the provisions of subsection (h) of this section: And provided further, That the appropriate Secretary shall utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this subsection only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire the fee title only where, in his judgment, lesser interests in land (including scenic easements) or written agreements are not adequate, but such acquisitions may be made only to the extent authorized in subsection (d) of this section: And provided further, That neither Secretary may acquire lands, water, or interests therein by condemnation without the owner's consent when 60 per centum or more of the acreage within the entire national scenic trail area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements. Money appropriated for Federal purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this section.*

(j) The Secretary of the Interior shall develop and administer the Appalachian and Potomac Heritage Trails and the Secretary of Agriculture shall develop and administer the Continental Divide and Pacific Crest Trails, except that any portion of any such trail that is within areas administered by another Federal agency shall be administered in such manner as may be agreed upon by the appropriate Secretary and the head of that agency, or as directed by the President. The Federal agencies shall coordinate their efforts to provide uniform administration and protection of the national scenic trails, and shall give encouragement to, and cooperate with, States, local governments, private organizations, and individuals in promoting the purposes of this section.

National scenic trails shall be administered, protected, developed, and maintained to retain their natural, scenic, and historic features; and provision may be made for campsites, shelters, and related public-use facilities; and other uses, including reasonable crossings, that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate: *Provided, That the use of motorized vehicles by the general public along any national scenic trail shall be prohibited, and the Appalachian Trail and the Potomac Heritage Trail in Virginia between Great Falls Park and Spout Run shall be developed and maintained primarily as a footpath to retain its natural environment: Provided further, That the Federal laws and regulations applicable to Federal lands or areas included in any national scenic trail shall continue to apply to the extent agreed upon by the appropriate Secretary and the head of the agency having jurisdiction over the Federal lands involved, or as directed by the President.*

The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national scenic trail passes, and after consultation with the States, local governments,

and private organizations concerned, and any advisory council established under subsection (f) of this section, may issue regulations, which may be revised from time to time, governing protection, management, use, development, and administration of a national scenic trail. Any person who violates a regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

(k) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not to exceed \$10,000,000, for land acquisition during the five-year period beginning with the enactment of this Act. No funds for development of the Continental Divide Trail shall be appropriated until sixty days after the Secretary of Agriculture shall submit detailed plans for such development to the respective Committees on Interior and Insular Affairs of the Senate and House of Representatives.

FEDERAL PARK, FOREST, AND OTHER RECREATION TRAILS

SEC. 3. (a) The Secretary of the Interior and the Secretary of Agriculture are directed to improve, expand, and develop park, forest, and other recreation trails for hiking, horseback riding, cycling, and other related uses on lands within areas administered by them: *Provided*, That the use of motorized vehicles by the general public shall be prohibited on such trails within (1) the natural and historical areas of the national park system; (2) the national wildlife refuge system; (3) the national wilderness preservation system; and (4) other Federal lands where trails are designated as being closed to such use by the appropriate Secretary. Such trails may be designated and suitably marked as part of the nationwide system of trails by the appropriate Secretary.

(b) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

STATE AND METROPOLITAN AREA TRAILS

SEC. 4. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organization, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban openspace program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

UTILITY RIGHTS-OF-WAY

SEC. 5. The Secretary of the Interior and the Secretary of Agriculture are authorized, with the cooperation of the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction, control over, or information concerning the use, abandonment, or disposition of rights-of-way and similar properties that may be suitable for trail route purposes, to develop effective procedures to assure that, wherever practicable, utility rights-of-way or similar properties having value for trail route purposes may be made available for such use.

AMENDMENT OFFERED BY MR. TAYLOR

Mr. TAYLOR. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR: Strike out all after the enacting clause of S. 827 and insert in lieu thereof the provisions of H.R. 4865, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

TITLE AMENDMENT OFFERED BY MR. TAYLOR

Mr. TAYLOR. Mr. Speaker, I offer an amendment to the title of the Senate bill.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR: Amend the title so as to read: "A bill to establish a national trails system, and for other purposes."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 4865) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROVIDING INDEMNITY PAYMENTS TO DAIRY FARMERS

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 17752) to provide indemnity payments to dairy farmers.

The Clerk read as follows:

H.R. 17752

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 3. The authority granted under this Act shall expire on June 30, 1969.

The SPEAKER. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered. There was no objection.

Mr. WHITE. Mr. Speaker, H.R. 17752 provides for the extension of expiring authority for the Secretary of Agriculture to make indemnity payments, at a fair market value, to dairy farmers who have been directed, since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals, registered and approved for use by the Federal Government at the time of such use.

In my area, this problem arises chiefly from the use of DDT and other insecticide sprays on cotton crops. It is often carried by the wind to nearby pasturelands for dairy cattle, and may remain as a contaminant of milk for a long time. There have been many cases where milk from cows grazed in such pasturelands may pass the high standards of State health departments, and still be ineligible for interstate shipment.

Obviously, there is much more work to be done in this regard, and being done by the Agricultural Research Service. Until new chemicals, or new means of application are developed; or new standards of acceptance of milk for interstate shipment are approved, dairy farmers of my area will continue to suffer serious losses in this regard. H.R. 17752, introduced by myself and my colleague, the gentleman from Arkansas [Mr. PRYOR], is intended to protect the dairy farmer while the scientists of the Department of Agriculture provide a workable solution.

It is my hope that the legislation will no longer be necessary after the expiration date of the authority in our bill, June 30, 1969.

Clearly, the solution is not simply to forbid use of certain insecticides, without providing others that are equally effective. By such action, we would merely be switching damages from dairy cattle to cotton crops. American agriculture has made giant strides in research in recent years, and I believe that—if we can buy ourselves a little more time through this legislation, we shall solve the problem to everyone's satisfaction.

Thank you.

Mr. PRYOR. Mr. Speaker, H.R. 17752, which I cosponsor with the gentleman from Texas [Mr. WHITE], does one thing.

It indemnifies dairy farmers, who through no fault of their own, have their milk removed from the commercial markets because it has been contaminated by residues of chemicals registered and approved for use by the Federal Government.

Although the instances where the provisions for milk indemnity payments have not been numerous, it is of extreme importance to those dairymen who have been involved.

While we are protecting the health and welfare of the citizens of our Nation, we believe that we must also help protect the economic welfare of dairy farmers who could be forced into bankruptcy through no carelessness of their own.

Mr. Speaker, this is not "new" legislation. It does extend for a 1-year period the present law.

It is good legislation. It is sound legislation. It is just legislation.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 17752.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of Public Law 90-95, approved September 28, 1967 (81 Stat. 231; 7 U.S.C. 4501), is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

AMENDMENT OFFERED BY MR. POAGE

Mr. POAGE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: Strike all after the enacting clause of S. 3638 and insert in lieu thereof the provisions of H.R. 17752, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to provide indemnity payments to dairy farmers."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 17752) was laid on the table.

AMENDMENT TO PART I OF THE FEDERAL POWER ACT

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12698) to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised, as amended.

The Clerk read as follows:

H.R. 12698

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Federal Power Act, as amended (16 U.S.C. 800), is amended by adding thereto the following new subsection:

"(c) Whenever, after notice and opportunity for hearing, the Commission determines that the United States should exercise its right upon or after the expiration of any license to take over any project or projects for public purposes, the Commission shall not

issue a new license to the original licensee or to a new licensee but shall submit its recommendation to Congress together with such information as it may consider appropriate."

SEC. 1. Section 14 of the Federal Power Act, as amended (16 U.S.C. 807), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) No earlier than five years before the expiration of any license, the Commission shall entertain applications for a new license and decide them in a relicensing proceeding pursuant to the provisions of section 15. In any relicensing proceeding before the Commission any Federal department or agency may timely recommend, pursuant to such rules as the Commission shall prescribe, that the United States exercise its right to take over any project or projects. Thereafter, the Commission, if it does not itself recommend such action pursuant to the provisions of section 7(c) of this part, shall upon motion of such department or agency stay the effective date of any order issuing a license, except an order issuing an annual license in accordance with the proviso of section 15(a), for two years after the date of issuance of such order, after which period the stay shall terminate, unless terminated earlier upon motion of the department or agency requesting the stay or by action of Congress. The Commission shall notify the Congress of any stay granted pursuant to this subsection."

SEC. 3. Section 15 of the Federal Power Act, as amended (16 U.S.C. 808), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) In issuing any licenses under this section, except an annual license, the Commission, on its own motion or upon application of any licensee, person, State, municipality, or State commission, after notice to each State commission and licensee affected, and after opportunity for hearing, whenever it finds that in conformity with a comprehensive plan for improving or developing a waterway or waterways for beneficial public uses all or part of any licensed project should no longer be used or adapted for use for power purposes, may license all or part of the project works for nonpower use. A license for nonpower use shall be issued to a new licensee only on the condition that the new licensee shall, before taking possession of the facilities encompassed thereunder, pay such amount and assume such contracts as the United States is required to do, in the manner specified in section 14 hereof. Any license for nonpower use shall be a temporary license. Whenever, in the judgment of the Commission, a State, municipality, interstate agency, or another Federal agency is authorized and willing to assume regulatory supervision of the lands and facilities included under the nonpower license and does so, the Commission shall thereupon terminate the license. Consistent with the provisions of the Act of August 15, 1953 (67 Stat. 587), every licensee for nonpower use shall keep such accounts and file such annual and other periodic or special reports concerning the removal, alteration, nonpower use, or other disposition of any project works or parts thereof covered by the nonpower use license as the Commission may by rules and regulations or order prescribe as necessary or appropriate."

SEC. 4. Section 10(d) of the Federal Power Act, as amended (16 U.S.C. 803), is amended by adding at the end thereof the following:

"For any new license issued under section 15, the amortization reserves under this subsection shall be maintained on and after the effective date of such new license."

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered. There was no objection.

[Mr. STAGGERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. SPRINGER. Mr. Speaker, I support H.R. 12698, with the amendments recommended by the Committee on Interstate and Foreign Commerce.

The Subcommittee on Communications and Power, of which I have the privilege to be a member, held 3 days of hearings on this bill and heard testimony from representatives of the Federal Power Commission and various segments of the electric power industry. Although the witnesses differed on some of the details, all agreed that legislation along these lines is necessary in order to clarify the procedures which the Federal Power Commission should follow in determining whether to relicense a hydroproject or whether to recommend takeover by the United States.

As stated in the committee report—Report No. 1643, 90th Congress, second session—the committee proposed two substantive amendments to the bill.

The first of these would reduce the period of time during which the effective date of a new license could be stayed at the request of a Federal department or agency. Our committee decided that 2 years was sufficient to permit the Congress to consider such a request by a Federal agency, and if the Congress had not acted within that 2-year period, the Commission should proceed to relicense the project.

The second substantive amendment adopted by the committee would delete a proposed new section 15(b) of the Federal Power Act. This provision would have allowed the Commission to impose additional conditions upon the licensee after the issuance of the new license.

The committee felt that this provision was unnecessary in light of the Federal Power Commission's existing authority under section 10(c), 10(g), and 14 of the act.

Section 10(c) provides that all licenses "shall conform to such rules and regulations as the Commission may from time to time prescribe for the protection of life, health, and property. Thus, even during the term of the license the Commission may promulgate rules and regulations relating to "protection of life, health, and property," and the licensee would be obliged to comply with such regulations.

Section 10(g) provides that all licenses shall contain "such other conditions not inconsistent with the provisions of this act as the Commission may require." Thus, at the time of relicensing, the Commission may require appropriate conditions to be included in the new license. These could be new conditions in addition to those required during the initial term.

Section 14 expressly reserves the right of the United States or any State or municipality to take over any licensed project at any time by condemnation proceedings upon payment of just compensation. This is a right above and

beyond any conditions imposed in the license itself.

Moreover, the committee felt that the proposed new section 15(b) would be a complete departure from the concept embodied in part I of the Federal Power Act, that a license, once accepted, becomes a contract between the Government and the licensee. It would in effect repeal the following provisions of section 6 of the present Federal Power Act:

Licenses may be revoked only for the reasons and in the manner prescribed under the provisions of this Act, and may be altered or surrendered only upon mutual agreement between the licensee and the Commission after thirty days public notice.

In view of the statutory provisions and this testimony, the Committee felt that it was unnecessary to grant the Federal Power Commission the additional authority requested by it in proposed subsection 15(b).

As stated in the committee report, the other changes recommended by the committee to the FPC-proposed bill are in the nature of technical and clarifying amendments.

Mr. Speaker, I support the bill in the form recommended by the Committee on Interstate and Foreign Commerce.

Mr. BATTIN. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Montana.

Mr. BATTIN. I thank the gentleman.

In explaining the committee amendment striking out proposed section 15(b) of the Federal Power Act—which would have given the Federal Power Commission specific authority to impose additional conditions on a hydroelectric power project licensee after the license was issued—the committee report states on page 2:

The committee feels that this provision is unnecessary in light of the Federal Power Commission's power to insert so-called open-end conditions in hydroelectric power project licenses.

Was this intended to mean that the Committee on Interstate and Foreign Commerce feels that the Federal Power Commission now has the authority set forth in proposed section 15(b) of the introduced bill?

No; certainly not. The Federal Power Commission has authority under section 10(g) of the Federal Power Act to include in hydroelectric power project licenses "conditions not inconsistent with the provisions of this act." Under this authority, the FPC includes so-called open-end provisions in hydroelectric power project licenses. Typical open-end conditions relate to water releases, joint use of project reservoirs and properties, installation capacity maintenance and operation of facilities, and conservation and development of fish and wildlife resources.

Mr. Speaker, I submit for the RECORD a letter to me relating to this authority to include these so-called open-end conditions in hydroelectric power project licenses:

FEDERAL POWER COMMISSION,
Washington, D.C., June 24, 1968.

HON. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for my personal views as to whether Commission can condition licenses issued pursuant to Section 15 of the Federal Power Act to provide for periodic evaluation of projects during their license terms, with the imposition, where appropriate, of additional requirements directed at maintaining comprehensive development. In my view the Commission can impose such a condition at the time it issues a Section 15 license. In reaching this conclusion I have examined the Congressional objective underlying enactment of the Federal Water Power Act of 1920 (now Part I of the Federal Power Act), the language of the Act itself and the relevant judicial constructions. It should be understood that I have neither advised the Commission of the question which you addressed to me nor consulted with it with regard to the substance of my response.

"The central purpose of the Federal Water Power Act" as the Supreme Court has recognized "was to provide for the comprehensive control over those uses of the Nation's water resources in which the Federal Government had a legitimate interest." *F.P.C. v. Union Electric Co.*, 381 U.S. 90, 98. It "was the outgrowth of a widely supported effort of the conservationists to secure enactment of a complete scheme of national regulation which would promote the comprehensive development of the water resources of the Nation, insofar as it was within the reach of the federal power to do so." *First Iowa Hydro-Electric Coop. v. F.P.C.*, 328 U.S. 152, 180.

Prior to the enactment of the 1920 Act each development proposed to be located on a navigable waterway required explicit Congressional approval. The unsatisfactory nature of this ad hoc procedure, which was not capable of guaranteeing comprehensive development, led President Roosevelt to exercise his veto prerogative. In his message accompanying his veto of a bill which would have relinquished important power sites on the Rainey River to private interests he laid the foundation for the 1920 Act:

"We are now at the beginning of great development in water power. Its use through electrical transmission is entering more and more largely into every element of the daily life of the people. Already the evils of monopoly are becoming manifest; already the experience of the past shows the necessity of caution in making unrestricted grants of this great power.

"It should also be the duty of some designated official to see to it that in approving the plans the maximum development of the navigation and power is assured, or at least that in making the plans these may not be so developed as ultimately to interfere with the better utilization of the water or complete development of the power. 42 Cong. Rec. 4698"

Congress sought to realize its "central purpose" through the enactment, in particular, of Sections 10(a) and (g) of the Act. By the former, Congress has directed that all licenses issued under Part I shall be on the condition "that the project adopted, including the maps, plans, and specifications, shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of waterpower development, and for other beneficial public uses, including recreational purposes; and if necessary in

order to secure such plan the Commission shall have the authority to require the modification of any project and of the plans and specifications of the project works before approval." See also Section 4(g) which authorizes the Commission to make investigations and "to issue such order as it may find appropriate, expedient, and in the public interest to conserve and utilize the navigation and water-resources of the region." By virtue of Section 10(g) the Commission is authorized to impose upon the licensee "such other conditions not inconsistent with the provisions of this Act as the Commission may require."

Each of these provisions has received close judicial scrutiny and it is no longer open to question that in delegating licensing responsibility the "Congress gave the Federal Power Commission sweeping authority and a specific planning responsibility." *Scenic Hudson Preservation Conference v. F.P.C.*, 354 F. 2d 608, 613 (CA2, 1965), cert. den. 384 U.S. 941 (1966). In discharging this planning responsibility the Commission, notwithstanding the limitations of the presentations made to it, independently must establish that the project approved will satisfy the Section 10(a) comprehensive development standard. See *Udall v. F.P.C.*, 387 U.S. 428 (1967).

The authority to impose reasonable license conditions is one of the Commission's principal means of achieving comprehensive development (*F.P.C. v. Idaho Power Co.*, 344 U.S. 17) and that authority has been so utilized. For example, in *California v. F.P.C.*, 345 F. 2d 917 (CA9, 1965), cert. den. 382 U.S. 941 (1965), after some broad references to the Commission as the "guardian of the public domain" (345 F. 2d 923) and to the fact that "the issuance of a license can be justified only on the theory of a resulting benefit to the public" (*ibid.*), the Court upheld a condition which permitted the Commission to alter, during the license term, water releases in the interest of protecting salmon runs. In *Pacific Power & Light v. F.P.C.*, 333 F. 2d 689, 697 (CA9, 1964), cert. den. 379 U.S. 969 (1965) the Court, in upholding a condition relating to the construction of a fish hatchery, noted the "wide latitude" given the Commission and concluded that "its judgment should not be disturbed unless exercised in an arbitrary manner." And in *Niagara Mohawk Power Corp. v. F.P.C.*, 379 F. 2d 153, 158-159 (1967), the Court of Appeals for the District of Columbia Circuit admonished that:

"The Act is not to be given a tight reading wherein every action of the Commission is justified only if referable to express statutory authorization. On the contrary, the Act is one that entrusts a broad subject-matter to administration by the Commission, subject to Congressional oversight, in the light of new and evolving problems and doctrines. * * * we stress the undeniable significance, in showing latitude accorded to the Commission, of the statutory provisions authorizing the Commission to issue licenses on conditions. * * * As for the Act here involved, we agree with the observation of the Third Circuit, that Congress intended by Section 10(g) 'to give to the Commission wide latitude and discretion in the performance of its licensing and regulatory functions.'" *Metropolitan Edison Co. v. F.P.C.*, 169 2d 719, 723 (3d Cir. 1948).

In recent years the Commission, aware that it is unable, at the time of license issuance, to solve all of the problems that subsequently may have to be met if comprehensive development is to be maintained, has imposed what may be termed limited subject open-end conditions which permit

10. ROADS. Received the conference report on S. 3418, the proposed Federal Aid Highway Act of 1968 (H. Rept. 1799) (pp. H7596-606, H7483). The bill as reported by the conferees authorizes \$33 million for forest highways, and \$170 million for forest development roads and trails, for each of the fiscal years 1970 and 1971 (p. H7597). The bill defines a "forest road or trail" as a road or trail wholly or partly within or adjacent to and serving the national forests and other areas administered by the Forest Service. Defines "forest development roads and trails" as those forest roads or trails of primary importance for the protection, administration, and utilization of the national forests and other areas administered by the Forest Service or, where necessary, for the use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent. Provides that "Construction estimated to cost \$15,000 or more per mile or more per project with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than \$15,000 per mile or \$15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account." (p. H7598)

For relocation assistance, provides that "Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized...may receive a fixed relocation payment in an amount equal to the average net earnings of the business or farm operation, or \$5,000, whichever is the lesser."

Broadens the present law authorizing repair or reconstruction of highways damaged by catastrophe so as to include other than natural (as well as natural) disaster and to permit payment of up to 100% of replacement costs. Requires the Transportation Department to cooperate with Agriculture and other departments concerned in planning projects so as to preserve natural beauty.

11. POSTAL SERVICE. Rep. Berry criticized the probability of the closing of rural post offices. pp. H7594-5

12. TRANSPORTATION. Rep. Schwengel protested the distribution of an "anonymous 'fact sheet' purporting to refute the views of Members of Congress" on the bill to increase the weight and width limitations of trucks on the Interstate Highway System and stated the American Trucking Association later admitted it had "authored and distributed" the sheet (p. H7596). Rep. Schwengel also inserted the sixth chapter of Dr. Fuller's dissertation, "The Effects of Increased Size and Weight Standards on the Public and Social Costs of Motor Carriage." pp. H7608-623

SENATE

13. FISHERIES. The Commerce Committee reported without amendment S. 3866, to extend the Commercial Fisheries Research and Development Act of 1964 (S. Rept. 1457). p. S9356

14. RECREATION. The Commerce Committee reported without amendment H. R. 11026, to amend the act of Sept. 15, 1960, to develop and enhance recreational opportunities and improve the fish and wildlife programs at reservations covered by said act (S. Rept. 1458). p. S9356
15. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 17522, making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for fiscal year 1969 (S. Rept. 1459) (p. S9356).
16. MILK. Conferees were appointed on S. 3638, to extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government (pp. S9360-1). House conferees have not been appointed.
17. HOUSING. Agreed to the conference report on S. 3497, the housing bill (pp. S9398-9408). The revised bill provides as follows:

Sec. 101 adds a new Sec. 235 to the National Housing Act to provide Federal assistance for home ownership by lower-income families. Under the new program, HUD could enter into contracts to make periodic payments to lenders who make Federal Housing Administration insured home mortgage loans to eligible lower-income families in order to bring the required monthly payments within their ability to pay. Authority to administer portions of this section will be delegated by HUD to the Department of Agriculture.

Sec. 201 adds a new program of Federal assistance to rental and cooperative housing for lower-income families. This program is authorized in a new sec. 236 of the National Housing Act. The assistance is to be in the form of periodic payments to the mortgagee to reduce the mortgagor's interest cost on a market rate mortgage financing the project. Phases of this program that are mutually agreed upon between the Secretaries of HUD and Agriculture will be administered in rural areas by the Department of Agriculture.

Sec. 601 amends the comprehensive planning provisions of Sec. 701 of the Housing Act of 1954 to provide financial and technical assistance for district planning covering rural and other nonmetropolitan areas. In carrying out this responsibility, the Secretary of HUD is required to consult with the Secretary of Agriculture prior to his approval of any district planning grant under subsections (a)(6) and (g) of Sec. 701 as amended. The Secretary of Agriculture is authorized to provide technical assistance in connection with the establishment of planning districts by the Secretary of HUD and in the carrying out of planning by such districts.

Title X broadens Title V of the Housing Act of 1949 in the following ways:

 - (1) A new Sec. 521 authorizes loans in rural areas at reduced interest rates within the payment ability of low and moderate-income persons and families to provide them with occupant-owned, rental, or cooperative housing which cannot be financed under new Secs. 235 and 236 of the National Housing Act. Any interest supplement necessary to market insured loans is to be paid from, and reimbursed by annual appropriations to, the Rural Housing Insurance Fund.

dents which occur tend to attract considerable attention, especially when an aircraft is missing for any length of time.

Nowadays there's absolutely no reason why any aircraft should remain missing for more than a few hours. We live in a wonderful electronic age. Out of this technology we have developed a system for *immediately* locating downed aircraft through simple, proven, electronic devices which are now being widely used in Viet Nam to locate and rescue our downed pilots within a few hours.

Yet general aviation continues to rely on the same old search methods we've been using since before World War I! We spend countless hours and millions of dollars each year flying (weather permitting) over the approximate area in which the aircraft is presumed to be missing, looking down at mile after mile of brush, timber, swamp, or rough terrain hoping to catch a "glimpse" of "something."

This procedure is not only absurdly ineffective as a means of finding survivors in time to save them from exposure or starvation but in many cases it has completely failed to turn up any trace of the airplane, even after years of searching!

Survivors of such accidents usually live for at least 24 hours before succumbing to exposure or injuries. After the first 48 hours the chances of their continued survival are less than 25%! If time is ever "of-the-essence," it's during the crucial hours immediately following a forced landing. Our experience with quick medical evacuation in Viet Nam has proven time and time again that quick evacuation is the difference between life and death.

In 1966 of 143 crashes in the U.S., involving a search, at least 109 occupants survived the first 24 hour period. Many of these later perished from injuries, hunger, or cold before they were found, yet, if they'd been located within 24 hours nearly all them might have lived.

Most of the inexpensive locator beacons currently available could have pinpointed the exact location of each of these downed aircraft *within two to three hours* by utilizing 3 or 4 search planes *flying safely above the terrain and over the weather*.

Compare this with our present visual search methods which, according to Gloria Health of the Guggenheim Aviation Safety Center at Cornell University, (in a report to be published soon) require an average of *171 flight hours per downed aircraft!* These are depressing statistics when help is usually needed within 24 hours to survive! Moreover, the longer the search extends, the more difficult it becomes to find the missing aircraft due to successive snow cover, etc.

Paradoxically, the adverse weather which often causes an accident frequently prevents a visual search from beginning until it's too late. By contrast, *one plane flying 240 miles per hour at 25,000 feet can search 200 square miles every minute provided the downed aircraft is using a locator beacon!* This means, an area the size of the entire state of California can be searched completely by only 5 airplanes in less than three hours! Modern electronic search techniques permit the entire search to be conducted above the weather or at night (as was the case in a recent crash near Stampede Pass in central Washington). The missing aircraft was located electronically at night by a search aircraft flying on top of an overcast. The crash was never seen by the searching aircraft but its location was pinpointed and its victim was evacuated within a few hours from a wilderness area in sub-zero temperatures. He was wearing tennis shoes and levis but he lived thanks to the modern miracle of electronically locating a downed aircraft.

By contrast, we're all familiar with the tragic story of the Oien family who lived in the wreckage of their airplane in northern

California for several weeks before finally succumbing to starvation. Although it was impossible to spot their wreckage from the air, dozens of airplanes flew overhead each day, any one of which *could* have received an emergency beacon signal on their regular comm., transceiver.

At the AOPA, RTCA, FAA sponsored National Conference on Locator Beacon Implementation, which was held this April 3rd and 4th in Washington, D.C., many excellent low-cost emergency radio beacons were displayed.

These beacons ranged in price from \$50 to \$700 (with an *average* cost of around \$200) *and they work!* Viet Nam has proven their amazing reliability and value as a means of saving lives.

Many of these beacons have been available to general aviation for years but their manufacturers complain that they just don't sell (except in Viet Nam) for the same reason that most people didn't *voluntarily* install seat belts in their cars until Ralph Nader and federal legislation came along. It's our belief that it will take similar legislation to overcome the "it can't happen to me" attitude of most pilots. The FAA has "actively encouraged" the "Voluntary" use of these devices since 1964 (FAA AC-170-4) with *noticeable lack of success* which should provide ample evidence that extensive voluntary use is unlikely. Safety legislation requiring the use of these proven life-saving devices is needed if such devices are ever to be widely utilized. The FAA has taken preliminary steps towards such legislation in their advanced notice of proposed rule making docket #8744, notice #68-4 which was issued March 1, 1968.

The proposed legislation would "require that a crash locator beacon be carried on general aviation aircraft when operating over large bodies of water, mountainous terrain, or remote and sparsely populated areas."

The FAA seems to be suggesting either a beacon rental system or limited installation based on geographic location which, when applied to anything as mobile as an airplane, just isn't realistic.

As commendable as the proposed regulation, *is we do not feel it is sufficiently broad, or enforceable, in its present form, to solve the problem. Yet only the FAA has the full legislative authority to take whatever steps are necessary to alleviate this needless problem, by modernizing our search technology.*

Rental beacons aren't the answer because pilots wouldn't be anymore inclined to rent these than they are to rent maps, first aid kits, or parachutes! Ask any fixed base operator how successful he's been renting any of the foregoing items. What's more, to be fully effective the beacon must be permanently or semi-permanently affixed to the aircraft in such a way that it will survive and be impact actuated by a crash. Such special installations don't lend themselves to rental.

Limiting beacon installations to certain geographic areas is also an idealistic (and probably unenforceable) half-way solution to a problem that gets worse each year as the general aviation fleet grows. For example in 1965, 27 planes were lost which have never been found, in 1966 an additional 31 aircraft disappeared.

The distribution of these missing planes is not limited to "mountainous terrain" and "sparsely populated areas" as can be seen from the map which was compiled with great dedication by Colorado's Senator Peter H. Dominick, who strongly supports any legislation which will contribute to the elimination of this tragic (and now-a-days needless) problem. The miniature airplanes indicate the approximate area and date in which 56 airplanes (some of them missing since 1959) are presumed to be located. None of these have ever been found. Note how evenly these missing aircraft are distributed across the

country with aircraft permanently missing in such flat or well populated states as Missouri, Kentucky, Ohio, Michigan, Arizona, Texas, New York state, and Massachusetts. By contrast there are none permanently missing in Idaho, Utah, and Montana! This problem is clearly not limited to "mountainous" or "sparsely populated areas."

We should not lose sight of the fact that more people buy and use airplanes to go places. Thus, an Iowa based plane will likely fly regularly over the barren badlands of the Dakotas, the wilderness of northeastern Minnesota, or the Rockies enroute to California or Las Vegas. Similarly, a plane based in Atlanta is most likely operated by someone who travels frequently over Alabama, Mississippi, or Louisiana (4 planes missing) the Carolinas (9 planes missing) or Fla. (8 planes missing). It's noteworthy that the populous northeast has more than its share of missing planes, several of which have gone down in dense population areas (like the plane that was finally found within the sight of the Conn. turnpike 6 days and 55 search missions later).

In how many of these accidents would quick location of the aircraft have saved lives? There is considerable evidence that *many* survive the crash only to succumb later to starvation, injuries and exposure.

Even in those accidents which are immediately fatal, the emergency locator beacon would save lives . . . *those of searchers* whose lives have all too frequently been lost while conducting low-level "needle in the haystack" visual searches. Six CAP searchers were killed in 1962 and 1963 alone. Some of these volunteer searchers have never been found such as the CAP pilot who's been missing since 1959 in Colorado. Flying very low and very slow over hazardous terrain and in the marginal weather often associated with aircraft accidents inevitably results in additional tragedies.

In addition to the human lives *needlessly* lost through our failure to institute modern search methods, tremendous amounts of money are squandered each year conducting dangerous and inefficient "needle-in-the-haystack" visual searches. The CAP alone has flown 104,175 hours in a 5 year period from Feb. '61 to Jan. '67. Air Force, Coast Guard, and FAA Search and Rescue costs amounted to a staggering 59 million dollars in fiscal 1966 alone! Despite this tremendous expenditure of time, money, and human effort an uncomfortable high percentage of the airplanes which were being searched for have never been found.

The foregoing facts clearly indicate that a voluntary locator beacon system or a *system based on limited geographical application will fail to provide the desired results.*

It has been suggested that certain types of aircraft (such as training planes) don't need beacons. This argument is based on the popular misconception that such planes don't ever get far enough from an airport to need such a device. The fact is that sooner or later most training ships are flown cross-country by inexperienced pilots. Such pilots are the very ones *most likely to get lost*. Even where an aircraft is flown within eyesight of its airport it can become lost, like the Ohio Cessna 150 which crashed in trees 4 miles from its airport while in a local "touch-and-go" pattern. This plane wasn't found for two days in spite of extensive search efforts.

Similar accidents have occurred in many parts of the country. A letter which appeared recently in Aero West Magazine read, "You can remove my husband's name from your mailing list. He was killed in 1965. I note in your editorial that it would be possible to install an electronic marker beacon in the tail of every plane. If such equipment is available . . . it is unthinkable that it should not be required. Such equipment could have saved a week of fruitless searching for the plane in which my husband crashed with three passengers. The crash occurred only

about 33 miles from our home airport . . . Searchers estimated they flew over the spot at least 20 times, but could not see a sign of the plane . . . Even when ground vehicles pointed out the crash after it had been discovered, air searchers could not see it."

However, one could logically ask, "If I put an emergency locator beacon in my airplane, will anybody be listening for its distress signal?"

Many of the beacons currently available transmit a dual signal simultaneously on both 121.5 and 243 mhz is monitored constantly by all military aircraft. This roving fleet of military aircraft literally provides a listening umbrella over our heads.

Further, if emergency beacons become widely used, the FAA has offered to broadcast a "downed aircraft notam" every 30 minutes on its regular weather broadcast, advising pilots in the vicinity to monitor 121.5. Any aircraft with a standard VHF receiver can receive a locator beacon distress signal.

Many airlines have indicated a willingness to extend a helping hand when needed by establishing a listening watch on 121.5 while flying over an area in which an aircraft is known to be down.

Ideally, airliners, gen. aviation aircraft, and military planes should all be equipped with a simple one-channel (121.5) full-time emergency beacon receiver operating a single indicator light which would be activated whenever an emergency signal was received. A simple position report or "ident" is all that would be required to report an emergency signal when received.

However, waiting until such receivers are installed would waste valuable time and fail to provide an *immediate* solution to the problem. Even without this ideal full-time "listening watch" we already possess enough elements to constitute a successful *systems approach*. Our present gen. aviation and airline receivers can be tuned to 121.5 when an aircraft is known (via a flight plan) to be missing.

Thus our roving fleet of gen. aviation aircraft and airlines crisscrossing the country already provide the immediate capability for establishing a 24 hour all-weather listening watch over a given area, when a plane equipped with an emergency beacon is reported missing.

All Air Force Search and Rescue (SAR) planes and many FAA planes are equipped with VHF homers and have pledged their full and immediate support. Within minutes after an emergency beacon signal is reported by any passing aircraft an SAR or FAA plane equipped with VHF homer, would be dispatched to "home-in" on the distress signal and to provide immediate aid via paradrop, helicopter evacuation, or whatever else may be required. Even without a VHF homer a simple audio homing technique can be followed by any plane with a standard VHF receiver.

Finally, in discussions of emergency locator beacons the author inevitably hears non-pilots (and even a few pilots) and local newspapers conjecture that "if the missing aircraft were on a flight plan it could have been located!" This is a misleading oversimplification as is proven by the fact that of the 56 planes missing nationwide many were on flight plans (yet they've never been found). In 1966 alone of the 137 planes which were missing for more than 24 hours, 81 were on flight plans!

Although flight plans provide an invaluable means for alerting the FAA that an aircraft is missing, they usually prove inadequate as a means for pinpointing the exact location of the missing aircraft.

After all, an aircraft can be missing anywhere along the approximate route of its flight plan or, if weather or mechanical problems arise, the aircraft is often forced to deviate substantially from its presumed course. Thus a flight plan can (and has)

actually sidetracked searchers in some cases.

Further, there is, *at best*, a 3 to 12 hour delay before a search is begun once an aircraft fails to complete its flight plan. If the weather is adverse or if no flight plan was filed, a search may be delayed even longer.

By comparison, the search for an emergency locator beacon can begin immediately, even at night or in bad weather as previously illustrated.

The flight plans' value as a means of sounding the alarm is unquestioned—this valuable (and free) service should be fully utilized, but its function should not be confused with that of the locator beacon. *It should be used in addition to, not instead of updating our search and rescue techniques thru the utilization of sophisticated devices such as emergency locator beacons which enable us to take full advantage of our modern technology.*

Why can't a pilot use the radios in his downed aircraft as a locator beacon? Aside from the obvious answer that aircraft avionics are relatively fragile and not designed to be crash resistant, there's the additional problem that most aircraft transmitters have power requirements which can't be supported for long without the aircraft alternator or generator operating. An electrical short anywhere in the aircraft's system (which is very likely following a forced landing) will sever or drain off what little battery power remains. Thus, even if the radios survive the G loads normally associated with a hard forced landing, sustained transmission is most unlikely.

In addition, the survivors of an accident are often incoherent. Most passengers don't know how to operate aircraft radios and even if they could, an intermittent voice transmission is not as easily heard (nor can it be homed in on as readily) as the steady distress signal emitted by an emergency locator beacon.

A properly designed emergency locator beacon system would operate regardless of the condition of the pilots and passengers. Such units are built to withstand the high G loads associated with forced landings, and crashes. They are designed to transmit efficiently with very low power requirements over a protracted period of time and in such a manner that their signal can easily be homed in on by other aircraft.

However such devices must be built to very high standards which should be immediately established by the FAA to meet the dual objectives of *low cost and high reliability*. A beacon which fails to function when needed could in some cases prove worse than no beacon at all and thus it is strongly recommended . . . that the FAA require all beacons to meet the following requirements:

- A. Simple impact and manual actuation.
- B. A minimum of 48 hours broadcasting life at 0 degrees fahrenheit.
- C. A minimum of 1/4 watt power.
- D. Impervious to the high summertime temperatures encountered inside aircraft and on the ramp.
- E. Designed to withstand the high impact "G" loads associated with accidents and forced landings.

Many manufacturers currently offer beacons which meet most of the properties listed above. Among these Magnavox, Micro Electronics, Mar Tech, Garrett, ACR, and many others have done extensive research and are now manufacturing products which are immediately available. Many other manufacturers have shown interest in designing and building such devices if pilots will buy them in quantity.

If our present fleet of over 107,000 active general aviation aircraft were equipped with these devices the cost per unit could be lowered to a fraction of their \$200/300 average price.

Widespread installation of these beacons would soon save the government substantial

sums of money which are currently being expended through thousands of inefficient and costly hours of visual searching each year.

It would seem therefore, that a portion of the cost to install these beacons in our present gen. aviation fleet might conceivably be borne by the government out of its search and rescue fund because quickly implementing this program is as much to the government's advantage (from a cost standpoint) as it is advantageous to the individual aircraft owner, from a safety standpoint.

With these basic economics in mind, it is our proposal that a portion of the cost to equip all *existing* general aviation aircraft with these devices be borne by the government. Their installation would become mandatory for aircraft manufactured after a certain date and their cost after that date would be included in the basic purchase price of the airplane (just as seat belts and other safety equipment is now included in the standard price of each new plane). Subsidy of this program would be limited to all aircraft manufactured before the stated date for required installation. By the time this date is attained the cost per unit will be significantly lower due to the widespread installation of these units in existing aircraft. This cost should, therefore, result in an almost negligible increase in the basic price of new airplanes.

However, even if the government is unwilling or unable to subsidize a portion of the cost of these devices, they could well be the cheapest life insurance one might buy and a necessary consideration which all pilots, aircraft owners, and corporations owe to themselves and their passengers now that such proven devices are available to civilian pilots at reasonable prices.

There are currently 56 aircraft missing somewhere in the United States (not including Alaska) with 98 souls on board. Millions have been spent looking for them. *If* the beacon had been available, and *if* their planes had been so equipped, our experience with missing planes in Viet Nam suggests that many would not have perished. Can it happen to you? Is there a better way?

If you think our present horse-and-buggy search methods are good enough no further action is needed. But if you think there's a better, more modern way to conduct our searches for downed aircraft and to rescue their survivors, your comments directed to the FAA will help bring about such a system. Paragraph 3 of the FAA Advance Notice and Proposed Rule Making states "interested persons are invited to participate in the making of the proposed rule." Write FAA Office of the general counsel, attention rule docket GC-24, docket No. 8744, Notice No. 68-4, 800 Independence Ave. SW, Washington, D.C. 20590, Attention Gen. William F. McKee or Mr. Dave Thomas.

(NOTE.—The author is a native of Colorado and has been active in gen. aviation sales and fixed base operations for 15 years. He has flown extensively in the west since 1956 and has personally participated in many searches including the Dr. Lovelace search.)

EXTENSION OF AUTHORITY TO MAKE INDEMNITY PAYMENTS TO CERTAIN DAIRY FARMERS

Mr. ELLENDER. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3638.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3638) to extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it con-

tains residues of chemicals registered and approved for use by the Federal Government which were, strike out all after the enacting clause and insert:

That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 3. The authority granted under this Act shall expire June 30, 1969.

And amend title so as to read: "An act to provide indemnity payments to dairy farmers."

Mr. ELLENDER. Mr. President, I move that the Senate disagree with the House amendments and request a conference with the House on the disagreeing votes thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. HOLLAND, Mr. JORDAN of North Carolina, Mr. MONTROYA, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. BOGGS conferees on the part of the Senate.

PRESIDENT JOHNSON'S GREAT ACHIEVEMENT

Mr. YOUNG of Ohio. Mr. President, along with a group of other Senators I was present on July 1 in the East Room of the White House witnessing the signing of the Nuclear Nonproliferation Treaty by top representatives of 56 nations, including Ambassador Dobrynin of the Soviet Union seated at a series of desks appearing as one huge desk. This treaty, while not guaranteeing that nuclear weapons will never be used in war, may mark the beginning of the end of international anarchy.

The limited nuclear test ban treaty achieved by President John F. Kennedy restricted the environment where nuclear bombs could be tested. The outer space agreement limited the areas where they could be stationed. Now, the nonproliferation nuclear weapons treaty proposed by President Johnson limits the spread of nuclear weapons. The United States and the Soviet Union are the only real nuclear powers. Great Britain, France, and China also have some capability to produce crude nuclear missiles. As more nations develop them, the possibility of nuclear war will increase. Therefore, this treaty is of utmost importance in ending the momentum of the arms race.

The recent announcement by Soviet leaders of their willingness to negotiate with the United States on limiting both offensive and defensive nuclear weapons proposes another gigantic step toward freeing the world from the terrifying threat of nuclear war. This was a never to be forgotten dramatic, historic event. Secretary Rusk and Ambassador Dobrynin addressed the 200 or more gathered

in the East Room and millions viewing on television and listening on radios. President Johnson's address ending the ceremony will be regarded by future historians as one of his finest—a historic state paper. In part he said:

After nearly a quarter century of danger and fear—reason and sanity have prevailed to reduce the danger and to greatly lessen the fear. Thus, all mankind is reassured. For this Treaty is evidence that amid the tensions, the strife, the struggle and sorrow of these years, men of many nations have not lost the way—or have not lost the will—toward peace. The conclusion of this Treaty encourages the hope that other steps may be taken toward a peaceful world.

This Congress recently authorized \$227 million for construction of the Sentinel antiballistic missile system. This, in addition to hundreds of millions of dollars previously appropriated for this ABM system. The Senate rejected my amendment to strike this Sentinel authorization from the military construction bill. It would seem unthinkable that the President would embark on this further escalation of the arms race when there is a possibility of reaching a workable arms control agreement. The Sentinel proposal should not be frozen. The President should and probably will announce that not one cent for the ABM system will be spent now that leaders of the Soviet Union have agreed to negotiate in good faith toward nuclear weapons control. This would be an act of statesmanship on his part.

ORDER OF BUSINESS

The PRESIDING OFFICER. Pursuant to the previous order the Chair recognizes the Senator from New York [Mr. JAVITS] for a period not to exceed 15 minutes.

VIETNAM MYTHS, PRIORITIES AND THE ELECTIONS

Mr. JAVITS. Mr. President, President Johnson's second Honolulu conference with General Thieu—anticipated as possibly moving further toward peace and furthering the initiative taken by the President on March 31 which brought the delegates of North Vietnam to Paris, actually has turned out to be a reaffirmation of old war policies which have failed so conspicuously in the past.

The communique issued at the end of the conference can only be read as a revalidation of General Thieu's "veto" over U.S. peace efforts which was given at the first Honolulu conference in February 1966 and took so long to undo. As such, the second Honolulu conference dims the Nation's hopes for peace and an early end to the fighting.

The United States cannot surrender its freedom of action and its national options to the government in Saigon. Yet, at Honolulu President Johnson "again affirmed" that the Thieu government would play "a leading role" in discussions of a settlement and that the United States and the Government of South Vietnam "would act in full consultation—both in the present phase and throughout."

Mr. President, I ask unanimous con-

sent to have printed in the RECORD at the conclusion of my remarks the communique to which I have referred.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. JAVITS. Mr. President, it is difficult to understand why President Johnson shows a greater responsiveness to the protestations of the South Vietnamese Government than he does to the overwhelming desire of the American people for an end to this war.

Apparently the same old delusions and wishful thinking that victory is "just around the corner" still dominate administration thinking. But they are not sufficient justification for asking the Nation to go on paying an unacceptably high price in blood, treasure and domestic strife in a vain effort to vindicate past mistakes in Vietnam. The President's remarks to the Governors' conference in Cincinnati confirm the view that the second Honolulu conference shifted U.S. policy back in the direction of the pre-March 31 hard line on the war.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the President's statement to the Governors' conference in Cincinnati.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JAVITS. Mr. President, by constantly reiterating ill-considered and unrealistic slogans of the past, the administration is trying to lock the Nation into positions on Vietnam which have nothing more recommend them than the sad fact that they were first mistakenly uttered some years ago. Persistence in errors of the past is not an attribute of statesmanship nor does it enhance the prestige of a great power.

The administration stubbornly persists in trying to portray the Vietnam war in language and concepts that are largely fictional. If the central problem in Vietnam really is "aggression from the north," as Secretary Rusk tirelessly proclaims, we would have won a military victory long ago.

The failure of U.S. military forces to achieve victory in Vietnam is not the result of any deficiency in their military performance—which in fact has been excellent. Rather, it is because our military forces are being asked to fight a war which exists—in the terms which the administration uses to describe it—only in the imagination of certain highly placed hardliners who would plan on the basis that Ho Chi-Minh in Vietnam is a new Adolf Hitler leading the war for the vastly powerful legions of Communist China.

It is very clear that the people of South Vietnam do not see either the Vietcong or the government in Saigon in the same terms which the administration uses to describe them. Moreover, it is a bitter irony that the U.S. efforts in Vietnam, which is officially justified as "repelling aggression," is viewed by many of our oldest and closest friends as being itself an "aggression" which disrupts the broader search for order and peace in the world.

Our Nation is suffering grievously from a distortion of priorities. We are paying

a very high price for this distortion both at home and abroad. In important respects, the Vietnam war—as the administration has conducted it over the past several years—is the principal cause of the distortion of our national efforts domestically as well as internationally. President Johnson's policy of steady military escalation has, like the egg of the cuckoo bird, hatched into a monstrosity which threatens to eat our cupboard bare.

Putting the Vietnam genie back in the bottle should be the first order of national business. Only then will we be free to get on with the great business of this century at home and abroad.

It is clear that the Paris peace talks are now as stalemated as the ground war in Vietnam. Hanoi's belief that the United States is prepared to reach a settlement which takes some cognizance of its objectives and aspirations concerning the future political organization of South Vietnam—aspirations that were kindled by President Johnson's March 31 speech—will surely be dampened by the kind of backsliding into the jargon of the past in the communique issued after the second Honolulu conference. In this respect, the communique must be viewed as lessening the chances for an early compromise settlement of the war.

It is widely recognized that the war in Vietnam is stalemated and that a military victory cannot be achieved within any limits that are acceptable to the Congress and the American people.

So, while we cannot get what we want on the battlefield, neither can we compel North Vietnam to accept our terms.

Something must be done to break this double stalemate—in Vietnam or in Paris. Since the Nation has overwhelmingly rejected further military escalation, Paris is the proper place for the next move.

It is time the administration got down to business in Paris and announced a halt to all bombing of North Vietnam. Since it is clear that the Nation is in no mood to condone either a break-off in Paris talks or expanding the war, it is futile to have Ambassador Harriman keep asking for unattainable objectives, since Hanoi knows the overall situation as well as we do. Our massive bombing of Hanoi's crude supply lines up to the 20th parallel is just not the negotiating "blue chip" which the administration thinks it is.

Accordingly, we should unconditionally stop all bombing north of the demilitarized zone. We should couple this with a call for a ceasefire and we should announce it in the same way as the President announced the rollback of the bombing to the 20th parallel on March 31. In that announcement the President set this condition and I make it part of my recommendation as well:

We assume that during those talks Hanoi will not take advantage of our restraint.

Stopping the bombing of the rest of North Vietnam has several advantages. Hanoi—as well as the Soviet Union—has publicly pledged its word that serious peace negotiations would begin once all bombing of North Vietnam stops. In the eyes of world opinion, the peace ball

will thus be in the Communist court. As a minimum, we will get a chance to smoke out Hanoi's real terms for deescalation and a settlement, if only in private talks where they will have a face-saving chance to move away from the harsh and unrealistic rhetoric of their propaganda.

One further point is vital in connection with such an announcement of cessation of the bombing; if we may immediately face substantive negotiations for peace, we shall have to be prepared to state our peace terms definitively. We must also be prepared to face a moment of truth with the Government of South Vietnam. It will come when peace terms can be obtained which we feel we can accept but which the government in Saigon does not wish to accept. We know that at that point U.S. interests must prevail in our own decision; but we should be sure that the Government of South Vietnam understands this as well.

Once negotiations begin in earnest, following a halt in the bombing of the north, the United States should seek as the first order of business a cease-fire in the south which would include a halt to our bombing there. Such a cease-fire could be of a self-enforcing nature. Only those units fired upon would return the fire. Hopefully, it would prevail in most if not all sections. The incentive to Hanoi and the Vietcong for observing and maintaining the cease-fire would be the gradual withdrawal of U.S. troops, as warranted by progress toward an overall settlement at the negotiating table.

Those who argue that a complete halt in the bombing of North Vietnam entails some risks, should remember that it is a risk for peace.

If the security of any of our forces is jeopardized by such a bombing halt, those forces could and should be redeployed to relieve that jeopardy. I see nothing sacrosanct in the present philosophy of U.S. troop deployment. If Khesanh is to be abandoned after so much valor and bloodshed by our marines, and so many high claims about its indispensability to the defense of South Vietnam, I see no reason why troops in other highly exposed areas could not be redeployed for security reasons in conjunction with a bombing halt.

If the President fails to move forward now along the path to peace in Vietnam, or if he intends to act boldly in Paris only according to a timetable dictated by the stale consideration in the latest Honolulu communique, he will be doing himself and the Nation a grave disservice. He has bought dearly—with his own political withdrawal—a moratorium in the fierce domestic strife that had been raised to a fever pitch by his old Vietnam policies and the attendant neglect of more pressing needs in our cities and the deterioration of our international economic and political position.

That moratorium can be squandered only at the gravest risk. This Nation can again be torn apart by controversy over the Vietnam war if the present double stalemate, in both fighting and negotiations, is not broken before the election campaign moves into full swing. For this

reason, there is an urgency to the need for a full halt to the bombing and the initiation of substantive peace negotiations.

Mr. President, I wish to express my great appreciation to the majority leader who, in the midst of an extremely busy schedule, has given me the opportunity to express a point of view which I think needs to be expressed and discussed at this time.

I have done my utmost, in turn, in deference to the Senator from Montana, to make these remarks as brief as possible and, at the same time, to carry the essential point which I wished to project to the Senate and the country today.

EXHIBIT 1

TEXT OF THE JOHNSON-THIEU COMMUNIQUE IN HAWAII

(Text of a joint communiqué issued today by President Johnson and President Nguyen Van Thieu of South Vietnam)

HONOLULU, July 20.—President Nguyen Van Thieu of the Republic of Vietnam and President Lyndon B. Johnson of the United States of America met in Honolulu, Hawaii, U.S.A., on July 19 and 20.

The meeting was held at President Thieu's suggestion, in light of the fact that the pressing military situation did not permit him to be absent from South Vietnam for the longer time required for a state visit and made it necessary for him to request the postponement of the state visit to a later time this year.

The primary purpose of the meeting was to allow the two leaders to discuss current military and diplomatic developments in South Vietnam and Paris. Their discussions were chiefly private, though they drew on the assistance of senior members of their respective Governments.

The two Presidents once again declared that their common objectives, both in Vietnam and in East Asia and the Pacific, were those stated in the Manila Declaration of 1966:

To be free from aggression.

To conquer hunger, illiteracy and disease.

To build a region of security, order and progress.

To seek reconciliation and peace throughout Asia and the Pacific.

They reaffirmed their deep belief that the struggle to defeat aggression and to restore an honorable and secure peace in Vietnam was vitally related to these broader objectives, and had already contributed to confidence and constructive efforts by other nations in Asia.

THIEU VOICES GRATITUDE

President Thieu expressed to President Johnson the abiding gratitude of the South Vietnamese people for the sacrifice of the American people in the cause of freedom in South Vietnam and peace in Southeast Asia. President Thieu further expressed his gratitude for the significant military contributions of the five other Asian and Pacific nations with military forces in the Republic in Vietnam.

President Thieu stated his Government's determination to continue to assume all the responsibility that the scale of the forces of South Vietnam and their equipment will permit, while preparing the Vietnamese nation and armed forces for the important and decisive role that will be theirs in the coming stages of the struggle.

REVIEW OF THE SITUATION

The President reviewed the course of events since their December meeting in Canberra: the treacherous Communist attack at Tet; President Johnson's speech of March 31, and the resulting Paris talks, being conducted on the United States side by Ambassadors Harriman and Vance.

House

July 26, 1968

- 3 -

relations with the U. S., for the period beginning with the import quota year following severance of the relations and continuing through 2 import quota years after relations are resumed (p. H7627). This bill will now be sent to the President.

5. DAIRY. Conferees were appointed on S. 3638, to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government (p. H7627). Senate conferees have been appointed. The "Daily Digest" states that conferees have agreed to file a report (p. D748).
6. HOUSING. Agreed, 227-135, to the conference report on S. 3497, the housing bill (pp. H7657-67, H7685). For provisions see Digest 130. This bill will now be sent to the President.
7. ROADS. Agreed to the conference report on S. 3418, the road authorization bill (pp. H7768-77). Rejected, 166-167, a motion by Rep. Stratton to recommit the conference report (pp. H7676-77).
8. BUILDINGS. Agreed to the conference report on S. 222, to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped. The conferees agreed that "the basic import of this legislation shall be confined to publicly owned buildings including public housing, or buildings accessible to the public." pp. H7680-81
9. RECREATION. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action H. R. 15245 and S. 444, to establish the Flaming Gorge National Recreation Area in Utah and Wyo. p. D748
10. GRAIN INSPECTION; FLOOD CONTROL. Conferees agreed to file reports on H. R. 15794, to provide for U. S. standards and a national inspection system for grain, and S. 3710, omnibus rivers and harbors flood control bill. p. D748
11. FOREIGN AID. Rep. Michel criticized the "follies" of our foreign aid program and asked, "How many ungrateful foreign countries are our taxpayers going to be asked to support while our cities crumble?" pp. H7629-30
12. FEDERAL AID; REORGANIZATION. Rep. Roth spoke in support of two bills, to issue and maintain an up-to-date catalog on Federal assistance programs, and the proposed Executive Reorganization and Management Improvement Act. pp. H7685-6
13. FARM PROGRAM. Rep. Olsen stated "the basic principles in the 1965 farm act are tried and tested...and have worked well." He urged a 4-year extension of the program. p. H7692

14. LEGISLATIVE PROGRAM. Rep. Albert announced the following program for the week of July 29, Military construction appropriations, food stamp bill, FHA loans bill, and bill to prevent importation of endangered wildlife. p. H7687
15. ADJOURNED until Mon., July 29. p. H7706

SENATE -- July 26

16. OCEANOGRAPHY. The Commerce Committee reported without amendment S. Con. Res. 72, to express the sense of the Congress with respect to an International Decade of Ocean Exploration during the 1970's (S. Rept. 1476). p. S9442
17. EMPLOYMENT. The Armed Forces Committee reported with amendment H. R. 1093, to amend and clarify the reemployment provisions of the Universal Military Training and Service Act (S. Rept. 1477). p. S9442
18. FOREIGN AID. The Foreign Relations Committee reported with amendment H. R. 15263, the foreign aid authorization bill (S. Rept. 1479). p. S9442
19. POSTAL SERVICE. Passed, 47-8, as reported H. R. 15387, to amend title 39, United States Code, to provide for disciplinary action against employees in the postal field service who assault other employees in such service in the performance of official duties (pp. S9506-11, S9519-20, S9522-45). Agreed, 46-17, to a committee amendment exempting certain postal employees from personnel limitations of the Revenue and Expenditure Act (p. S9537). Rejected, 22-34, the Miller amendment providing that personnel limitations in the Revenue and Expenditure Control Act shall be retained except for those exempted by committee amendment adopted above (pp. S9541-3).
20. POULTRY. Began consideration of S. 2932, the poultry inspection bill. pp. S9545-51
21. CONSERVATION. Sen. Yarborough inserted an editorial supporting his bill to create a Big Thicket National Park in Tex. p. S9449
22. LEGISLATIVE PROGRAM. Sen. Mansfield announced the following program: following disposition of the postal personnel limitations bill, the Senate will take up the State, Justice, and Commerce appropriation bill on Mon., following that, the foreign aid authorization bill. During the week it will dispose of the HEW and Labor appropriations bill and D. C. appropriation bill. pp. S9483-4

SENATE -- July 27

23. POULTRY INSPECTION. Continued debate on S. 2932, the poultry inspection bill. pp. S9590-609, S9622-6
24. HEALTH. Passed with amendments H. R. 15758, the proposed Health Service Amendments of 1968, including continuation of grants for health services to migratory workers through the fiscal year 1971 and increasing gradually the authorization

House of Representatives

FRIDAY, JULY 26, 1968

The House met at 12 o'clock noon.
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He that abideth in Me and I in him, the same bringeth forth much fruit.—John 15: 5.

Most merciful God, in this midday moment of meditation we come to Thee knowing Thou wilt receive us and never send us away emptyhanded or emptyhearted.

Make our minds shrines of Thy truth, our hearts sanctuaries of Thy love, and send us out into this new day with the glorious spirit of those who build highways of peace and good will among the children of men.

Help us now and always to walk worthily in the ways of Thy word and when temptations and troubles come may we prove to be faithful to Thee and fruitful in all good works.

We pray for our beloved country that she may be Thine instrument of good will in bringing together in a deep unity of spirit all the members of the human race.

In the spirit of Christ, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 9606. An act to exempt from taxation certain property of the National Society of the Colonial Dames of America in the District of Columbia; and

H.R. 10213. An act to amend the Life Insurance Act of the District of Columbia, approved June 19, 1934 (48 Stat. 1125).

The message also announced that the Senate agrees to the amendment of the House to a joint resolution of the Senate of the following title:

S.J. Res. 181. Joint resolution to authorize the President to designate the week of August 4 through 10, 1968, as "Professional Photography Week."

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13781) entitled "An act to amend title II of the Marine Resources and Engineering Development Act of 1966," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. PELL, and Mr. JAVITS to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following

titles, in which the concurrence of the House is requested:

S. 3416. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the Inaugural Committee; and

S. 3865. An act to clarify the status of National Guard technicians, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the Part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 66-16.

AMENDING SECTION 202 OF AGRICULTURAL ACT OF 1956

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10915) to amend section 202 of the Agricultural Act of 1956, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That section 202 of the Agricultural Act of 1956 is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding any other provision of law, raw, semiprocessed, or processed extra long staple cotton, as described in section 347(a) of the Agricultural Adjustment Act of 1938, as amended, which is the product of a country which has failed to maintain diplomatic relations with the United States shall not constitute any portion of the quota of such extra long staple cotton set forth in subsection (a) of this section for the import quota year (1) beginning August 1, 1968 (or, if this subsection is not enacted prior to the planting of the 1969 crop, August 1, 1969), or (2) beginning next after the severance of diplomatic relations, whichever occurs later, and shall continue to be excluded until the end of the second import quota year beginning after the resumption of diplomatic relations; and such quota set forth in subsection (a) shall be reduced by the average annual amount of extra long staple cotton received from any such country during the five quota years immediately preceding the quota year in which such severance of diplomatic relations occurs: *Provided*, That any such reduction shall continue only until the end of the second import quota year beginning after the resumption of diplomatic relations by such country with the United States. Notwithstanding any other provision of law, beginning with the 1969 crop, the Secretary shall give domestic producers the opportunity to produce an amount of such extra long staple cotton equal to any reduction in supply which may

result from the enactment of this subsection and any contracts entered into for the purchase and shipment of such extra long staple cotton from such countries, shall be allowed entry into the United States subject only to existing United States quota limitations, if said contracts have been entered into before December 1, 1967."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON S. 3638, INDEMNITY PAYMENTS TO DAIRY FARMERS FOR MILK

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, with amendments of the House thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. POAGE, GATHINGS, McMILLAN, BELCHER, and TEAGUE of California.

AUTHORIZING THE PRINTING AS A HOUSE DOCUMENT OF THE LETTERS OF VICE ADM. HYMAN G. RICKOVER RELATING TO THE DISTINGUISHED AMERICANS IN WHOSE HONOR THE U.S. NAVY POLARIS NUCLEAR SUBMARINES WERE NAMED

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1801) on the concurrent resolution (H. Con. Res. 213) authorizing the printing as a House document of the letters of Vice Adm. Hyman G. Rickover relating to the distinguished Americans in whose honor the U.S. Navy Polaris nuclear submarines were named, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 213

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document the letters of Vice Admiral Hyman G. Rickover, United States Navy, to the Speaker of the House of Representatives relating to the distin-

guished Americans in whose honor the United States Navy Polaris nuclear submarines were named. The copy for such House document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. In addition to the usual number, there shall be printed ten thousand additional copies of such House document, of which four thousand copies shall be for the use of the Senate, and six thousand copies shall be for the use of the House of Representatives.

With the following committee amendments:

On page 1, line 10, strike out "ten" and insert in lieu thereof "twelve".

On page 2, line 1, strike out "six" and insert in lieu thereof "eight".

On page 2, after line 2, insert the following:

"SEC. 3. That, notwithstanding any provision of the copyright laws and regulations with respect to publications in public domain, the letters shall be subject to copyright by the author thereof, Vice Admiral Hyman G. Rickover, United States Navy.

"SEC. 4. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms."

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING AS A HOUSE DOCUMENT THE PUBLICATION "THE PRESENT-DAY KU KLUX KLAN MOVEMENT," AND PROVIDING FOR THE PRINTING OF ADDITIONAL COPIES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1802) on the concurrent resolution (H. Con. Res. 781) authorizing the printing as a House document the publication "The Present-Day Ku Klux Klan Movement," and providing for the printing of additional copies, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 781

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document with three thousand additional copies for the use of the Committee on Un-American Activities the publication entitled "The Present-Day Ku Klux Klan Movement," Ninetieth Congress, first session.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE THE PRINTING OF THE PAMPHLET "THE AMERICAN'S CREED" AS A HOUSE DOCUMENT

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1803) on the concurrent resolution (H. Con. Res. 784) to authorize the print-

ing of the pamphlet "The American's Creed" as a House document, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 784

Resolved by the House of Representatives (the Senate concurring), That the pamphlet entitled "The American's Creed" by William Tyler Page (House Document Numbered 416 of the Sixty-ninth Congress, first session) be printed with illustrations as a House document; and that seven hundred and thirty-four thousand five hundred additional copies be printed, of which two hundred and nineteen thousand five hundred shall be for the use of the House of Representatives, and five hundred and fifteen thousand shall be for the use of the Senate.

SEC. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms.

With the following committee amendments:

On page 1, line 6, strike out "seven hundred and thirty-four thousand five hundred" and insert in lieu thereof "six hundred and forty-five thousand".

On page 1, lines 7 and 8, strike out "two hundred and nineteen thousand five hundred" and insert in lieu thereof "four hundred and thirty-nine thousand".

On page 1, line 9, strike out "five hundred and fifteen thousand" and insert in lieu thereof "two hundred and six thousand".

The SPEAKER. The gentleman from Ohio is recognized.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. What, again, is the subject matter of this publication?

Mr. HAYS. It is a publication that was originally published in the 69th Congress. It is a small pamphlet. The main emphasis of it is on Americanism. It is a monograph, I believe you would call it, entitled "The American's Creed" by William Tyler Page. It has been a House document for many years.

The original bill which the gentleman from Maryland [Mr. MATHIAS] introduced, gave the Senate twice as many as the House. The committee amended it and gave the Senate half as many as the House.

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR PRINTING OF PROCEEDINGS OF COMMITTEE ON AGRICULTURE INCIDENT TO PRESENTATION OF PORTRAIT OF HON. W. R. POAGE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1804) on the resolution (H. Res. 1088), providing for the printing of the proceedings of the Committee on Agriculture incident to the presentation of a portrait of the Honorable W. R. POAGE,

and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1088

Resolved, That the transcript of the proceedings in the Committee on Agriculture of February 26, 1968, incident to the presentation of a portrait of Honorable W. R. Poage to the Committee on Agriculture be printed as a House document with illustrations and suitable binding.

SEC. 2. In addition to the usual number, there shall be printed one thousand copies of such document for use of the Committee on Agriculture.

With the following committee amendment:

On page 1, line 5, after the word "suitable" strike out the word "binding." and add the following: "binding in such styles as may be directed by the Joint Committee on Printing."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF REPORT ENTITLED "CIVILIAN ADVISORY PANEL ON MILITARY MANPOWER PROCUREMENT"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1805) on the resolution (H. Res. 1161) authorizing the printing of the report entitled "Civilian Advisory Panel on Military Manpower Procurement," and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1161

Resolved, That there be printed as a House document the report to the Committee on Armed Services, House of Representatives, entitled "Civilian Advisory Panel on Military Manpower Procurement," dated February 28, 1967, and that ten thousand additional copies be printed for the use of the House Committee on Armed Services.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PRINT AS HOUSE DOCUMENT EULOGY PROCEEDINGS ON FORMER SPEAKER JOSEPH W. MARTIN, JR.

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1806) on the resolution (H. Res. 1166), to print as a House document the eulogy proceedings on former Speaker Joseph W. Martin, Jr., and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1166

Resolved, That there shall be printed as a House document such tributes and encomiums as were made in the Congress on the occasion of the passing of the Honorable Joseph William Martin, Junior, former Speaker of the House of Representatives and a renowned and distinguished public servant. This document shall be published with ap-

House

July 31, 1968

7. FOOD. A subcommittee of the D. C. Committee approved for full committee action S. 2012, to authorize appropriations to pay salaries and related costs of operating the Office of Central Management of the Food Services Department in the D. C. public schools; and to provide for appropriations to pay for lunches furnished to all needy elementary and secondary public school children whose parents are not recipients of public welfare. p. D768
8. INTERGOVERNMENTAL COOPERATION. The Government Operations Committee ordered reported (but did not actually report) H. R. 18826, the intergovernmental cooperation bill. p. D768
9. GRAIN INSPECTION. Received the conference report on H. R. 15794, to revise the Grain Standards Act (H. Rept. 1827) (p. H7955). The conference report adopts all of the Senate amendments to the House bill, mostly of a "technical" nature, with the exception of the Senate amendment which "would have permitted the Secretary of Agriculture to withdraw inspection service for commission of repeated or flagrant violations of section 13 of the act." The Senate conferees agreed to the House language which would have permitted "such withdrawal for conviction of any violation of section 13...with the understanding that the statement of the managers on the part of the House would make it clear that withdrawal of service could follow upon conviction without awaiting the conclusion of appeals from such conviction, and could be effective so long as the conviction stood."
10. DAIRY INDEMNITY. Received the conference report on S. 3638, to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government (H. Rept. 1828). p. H7935
11. BUILDING SAFETY. The Education and Labor Committee reported with amendment H. R. 2567, to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects (H. Rept. 1824). p. H7969
12. TARIFF. The Ways and Means Committee reported with amendment H. R. 15003, to amend the U. S. Tariff Schedules so as to prevent the payment of multiple customs duties by U. S. owners of racehorses purchased outside of the U. S. (H. Rept. 1825), and with amendment H. R. 16552, to amend the U. S. Tariff Schedules with respect to the tariff classification of invert or highest molasses (H. Rept. 1831). p. H7969
13. PERSONNEL CEILINGS. The Ways and Means Committee reported without amendment H. R. 18985, to amend the Revenue and Expenditure Control Act of 1968, to provide a pool of 14,000 additional appointments which may be made without regard to the employee ceilings of that Act (H. Rept. 1832). p. H7969
14. PERSONNEL. A subcommittee of the Post Office and Civil Service Committee approved for full committee action H. R. 12881, to authorize the payment of

allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at a remote worksite, and H. R. 17954, to correct certain inequities and relieve certain liabilities arising out of overpayments of compensation to Government employees as a result of administrative error in the application of certain provisions of the Classification Act, the Federal Employees Salary Act of 1964, and other provisions of law. p. D769

15. APPROPRIATIONS. Received the conference report on H. R. 17522, the Depts. of State, Justice, and Commerce, the Judiciary, and related agencies appropriation bill (H. Rept. 1830). pp. H7935-7

Received the conference report on H. R. 18188, Transportation Dept. appropriation bill (H. Rept. 1833). The conferees recommended the restoration of the Senate amendment to strike the obligation limitation of \$26,000,000 on forest highways in section 204 of the House bill, with an amendment that "none of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$29,000,000, exclusive of the reimbursable program, in fiscal year 1969 for 'Forest Highways'." pp. H7939-40

16. COTTON; LANDS. Received the conference report on H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., which includes a Senate committee amendment to provide a one-price program for extra-long-staple cotton (H. Rept. 1826). pp. H7933-5

17. RECREATION; POWER; PARKS. The Interior and Insular Affairs Committee ordered reported (but did not actually report) H. R. 18333, to study the feasibility of establishing an Upper Mississippi Valley National Recreation Area; S. 224, to make nonreimbursable the cost of the work which was necessary to rehabilitate the Eklutna Federal hydroelectric power project in Alaska because of damage caused by the Earthquake of 1964; and H. J. Res. 1384, relating to the administration of the national park system. p. D768

18. LEGISLATIVE PROGRAM. Rep. Albert announced that on Thurs., Aug. 2, Rep. Mills may seek to bring up under unanimous-consent request H. R. 18985, to amend the Revenue Expenditure and Control Act of 1968 to provide approval of 14,000 additional appointments (p. H7947); and the "Daily Digest" states that H. R. 15757, the health-manpower bill, H. R. 18209, to amend the Consolidated Farmers Home Administration Act to provide loans to supplement farm income, etc., and H. R. 11618, to prevent the importation of endangered species of fish or wildlife, will be considered (p. D768).

19. FOOD STAMP. Rep. Eckhardt opposed the Teague amendment to the food stamp bill to prevent distribution of food stamps to unionists on strike and students. p. H7895

20. HUNGER. Rep. Gonzalez criticized the CBS television broadcast "Hunger in America" as "far from responsible and far from accurate." pp. H7951-5

DAIRY INDEMNITY PAYMENTS

JULY 31, 1968.—Ordered to be printed

Mr. POAGE, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 3638]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3638), to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: *That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.*

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 3. The authority granted under this Act shall expire on June 30, 1970.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,

Managers on the Part of the House.

ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
B. EVERETT JORDAN,
JOSEPH M. MONTOYA,
GEORGE D. AIKEN,
MILTON R. YOUNG,
J. CALEB BOGGS,

Managers on the Part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 3638, to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, submit the following statement and explanation of the effect of the action agreed upon by the conferees and recommended an accompanying conference report.

The companion bill in the House, H.R. 17752, would have expired in 1 year, on June 30, 1969. The Senate bill would have expired in 3 years, on June 30, 1971. The conferees agreed on a compromise, expiration in 2 years, June 30, 1970.

W. R. POAGE,
E. C. GATHINGS,
JOHN L. McMILLAN,
PAGE BELCHER,
CHARLES M. TEAGUE,
Managers on the Part of the House.

(3)



DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued August 2, 1968
For actions of August 1, 1968
90th-2nd; No. 136

CONTENTS

Appropriations.....8,21,47	Food stamps.....25	Pest control.....37
Budgeting.....30	Foreign aid.....2	Poultry inspection.....1
CCC.....21	Foreign trade.....15,28	Property.....40
Conservation.....19,33	Forest highways.....8	Reclamation.....12,39
Consumers.....16	Forests.....37	Recreation.....10,27
Cooperatives.....17	Grain inspection.....6	Research.....20
Cotton.....7	Health.....22	Rural areas.....32,41
Dairy indemnity.....4	Housing.....48	Taxation.....11,19,34,38
Education.....14,31,45	Lands.....7,42,44	Timber exports.....42
Employment.....41,43	Oceanography.....20	Trade.....15,28
Farm labor.....22	Opinion poll.....35	Trails.....26
Farm program.....13,24	Organization.....45	Transportation.....17,18
Flood control.....23	Packers and Stockyards..46	Wilderness.....5
Food additives.....36	Personnel.....3	Wildlife.....9,29

HIGHLIGHTS: Senate re-passed farm bill. House received conference report on poultry inspection bill. House agreed to conference reports on dairy indemnity and grain inspection bills. House committee reported Jefferson wilderness bill. House committee voted to report Flaming Gorge Recreation Area bill.

HOUSE

1. POULTRY INSPECTION. Received the conference report on H. R. 16363, the poultry inspection bill (H. Rept. 1839) (pp. H8066-72). The conferees recommended: That the House recede from its disagreement to the Senate amendment to strike the word "knowingly" in Sec. 9(a), in order that the Poultry Act might conform to the corresponding section of the Federal Meat Inspection Act. That the House recede to the Senate amendment striking requirements relative to labeling

information. That the House recede to the Senate amendment to permit interested parties to present their views orally regarding proposed rule making under the Wholesome Poultry Products Act. That the House recede to the omission by the Senate of House language limiting the Secretary of Agriculture's authority "to regulate storage and handling...to permit the regulation by States rather than the Federal Government of these steps by local retail stores," etc. That the House recede to the "inclusion as a part of the declaration of policy a statement to the effect that scientific fact, information or other criteria must support the condemnation of poultry or poultry products because of disease." That the Senate recede from its amendment prohibiting the change in the official inspection legend. The conferees agreed in this respect that the Secretary "shall not require any change in the official inspection legend in use under this Act on the date of enactment of the Wholesome Poultry Products Act without reasonable notice to the processors and the opportunity for public hearing." That the Senate strike its amendment to the import poultry section of the Poultry Products Inspection Act as this presents "no problem requiring legislation." The conferees included a new exemption to provide for "a complete exclusion from the provisions of the Act of all poultry producers with respect to poultry of their own raising on their own farms if such producers do not buy or sell poultry products other than those produced from poultry raised on their farms," etc. Sub. sec. 15(c)(3) was amended in conference "to provide that poultry producers or processors of 5,000 turkeys or an equivalent number of other poultry in the current calendar year might, by the regulation of the Secretary of Agriculture, under conditions...that he prescribed, be exempt from specific provisions of the Act."

2. FOREIGN AID. Conferees were appointed on H. R. 15263, the foreign aid authorization bill. Senate conferees have been appointed. pp. H7977-8
3. PERSONNEL. Agreed to the conference report on H. R. 15387, to provide for disciplinary action against any employee in the postal field service who forcibly assaults any other employee while such other employee is engaged in the performance of his official duties. The conference report restores the Senate amendment providing that the officers and employees of the Bureau of Research and Engineering of the Post Office Department, and officers and employees in the postal field service shall be exempted from the personnel limitations in the Revenue and Expenditure Control Act. This bill will now be sent to the President. pp. H7978-91
4. DAIRY INDEMNITY. Agreed to the conference report on S. 3638, to extend the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. The House conferees submitted the following statement: "The companion bill in the House, H. R. 17752, would have expired in 1 year, on June 30, 1969. The Senate bill would have expired in 3 years, on June 30, 1971. The conferees agreed on a compromise, expiration in 2 years, June 30, 1970." p. H8023

applicable to interferences with an individual's conduct of his business relations even though that interference were premised on or motivated by racial considerations.

Title I of the Civil Rights Act of 1968, 18 U.S.C. section 245(b)(3), which punishes threats or incidents of violence against businessmen "during or incident to a riot or civil disorder" also is inapplicable. That section is applicable only to acts which occur during or incident to a riot, and there is no indication that the acts that are the subject of the newspaper clippings can be so characterized.

Other provisions of Title I of the Civil Rights Act of 1968 provide penalties for intimidation on account of race or color of individuals in the exercise of certain enumerated rights such as attending school utilizing public accommodations and serving on juries. But this section would provide no penalty for intimidation of a businessman unless he were engaged in one of these enumerated activities and in addition it were clear that his participation in that particular activity was the reason for the harassment.

The matter that you have brought to our attention therefore does not appear to violate any laws administered by this Department. However I want to assure you that our policy with respect to enforcement of the civil rights laws is to investigate incidents we have cause to believe may involve violations of those laws regardless of whether such incidents involve harassment of whites by Negroes or Negroes by whites.

Sincerely,

STEPHEN J. POLLAK,
Assistant Attorney General,
Civil Rights Division.

[News release from the Department of Justice, July 29, 1968]

The Department of Justice filed suit today charging Roper Hospital in Charleston, South Carolina with discriminating against Negroes in violation of two sections of the Civil Rights Act of 1964.

Attorney General Ramsey Clark said the civil suit, brought in United States District Court in Charleston, alleged violations of the public accommodations and employment sections of the 1964 Act.

The Department sought a court order barring the private hospital from discriminating racially in admitting patients, hiring staff members or permitting use of any facility.

Roper Hospital has discontinued various federal financial assistance since enactment of the 1964 Act, which includes a section forbidding discrimination in federally-assisted programs.

But the Department said the hospital is covered by the public accommodations section because it contains a cafeteria and a snack bar.

The section, which lists eating facilities as being covered, also covers any establishment that houses a covered facility and purports to serve its patrons.

The suit said the hospital does not admit Negroes and furnishes them limited outpatient service on a racially-segregated basis.

It was also asserted that the hospital, which employs 523 persons, hires few if any Negroes as professional or clerical workers and provides racially-segregated facilities for its employees.

Negroes are employed exclusively or almost exclusively as orderlies, practical nurses, nurses' aides, service workers and unskilled laborers, the suit said.

Mr. NELSEN. Mr. Speaker, for the consideration of the District of Columbia revenue bill many factors were involved in conference.

The conferees did agree on a generous Federal payment set at the figure of \$90 million.

The conferees agreed on some adjustment of sales taxes applying to food and liquor sales.

One item long in dispute dealt with regulation of liquor sales in the District of Columbia.

Now that we have passed the Reorganization Act and a city council is provided, it can be argued with merit that rules and regulations relative to liquor sales in the District of Columbia, should be handled by the City Council.

The Congress should not be bogged down by the multitude of municipal problems we have to face.

I may say, however, that I did not support the amendment which transferred the authority for liquor sales to the District of Columbia Council, I took this position primarily because it is the declared objective of the Council to permit Sunday sales of liquor.

Many hold that we should exercise extreme care relative to the conduct of affairs in our Nation's Capital. I support that view.

I would point out that the remedy now rest with petition before the Council for clarification.

The majority of the conferees, however, supported the item in dispute and the conference report was recommended for adoption.

CONFERENCE REPORT ON S. 3638, DAIRY INDEMNITY PAYMENTS

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 31, 1968.)

Mr. POAGE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 15794, U.S. GRAIN STANDARDS ACT

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R. 15794) to provide for U.S. standards and a national inspection system for grain, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 31, 1968.)

Mr. POAGE (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Washington.

Mrs. MAY. Mr. Speaker, I just take this time to say there is no objection to the conference report on this side.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. Would the gentleman kindly tell us which bill this is?

Mr. POAGE. This is the grain standards bill.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 10864, EXTRA-LONG-STAPLE COTTON, DIERKS FORESTS

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R. 10864) to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 31, 1968.)

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. Could we have just a brief explanation of this bill?

Mr. POAGE. Yes, sir. I will be glad to.

This is a bill which when it went to the other body involved nothing more than the clearing of title to certain lands which at one time had been public lands and sold with an incorrect survey in the State of Arkansas. In the other body there was an amendment placed on the bill which added to it a change in the method of supporting extra-long-staple cotton, shifting that support from the present method, which is a loan of 48 cents a pound to the present system for upland cotton of a much lower loan of about 32 cents a pound plus a payment of an 8-cent payment and bringing that in line with the support payment on upland cotton.

At least according to the figures presented by the Department of the other

body there is a saving to the U.S. Treasury of some \$4 million or \$5 million a year. That saving would be achieved by reason of the fact that this bill limits the support to 90,000 bales of cotton and no more could be supported under this program. The payments would amount to approximately \$40 a bale. That cotton would not go into the loan, and you would have no losses except that direct payment.

Mr. GROSS. Will the gentleman yield for a brief comment?

Mr. POAGE. Certainly.

Mr. GROSS. I appreciate the statement of the gentleman that there may well be some economy in the amendment, but it would be my hope that the Committee on Agriculture as well as all other committees of the House would do everything within their power to resist this business of ungermane amendments being attached to meritorious legislation that the House sends to the other body.

I just do not like to see an ungermane amendment attached to this legislation. It would be my hope that in the future the great Committee on Agriculture would not go along with this procedure.

Mr. POAGE. I can assure the distinguished gentleman from Iowa that I am in complete agreement with his statement and I pointed out at the conference the same criticism. I believe I made the statement at that time that we were not going to come back to conference with them on any other actions of this kind if such procedure were undertaken to be followed in the future.

Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from Washington [Mrs. MAY].

(Mrs. MAY asked and was given permission to revise and extend her remarks.)

Mrs. MAY. Mr. Speaker, I take this time merely to state as the ranking minority member of the Committee on Agriculture at the conference on this matter that we have no objection to the conference report.

Mr. POAGE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

TO AMEND TITLE 10, UNITED STATES CODE, TO PRESCRIBE HEALTH CARE COST-SHARING ARRANGEMENTS FOR CERTAIN SURVIVING DEPENDENTS

Mr. HARDY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 18673) to amend title 10, United States Code, to prescribe health care cost-sharing arrangements for certain surviving dependents, and for other purposes.

The Clerk read the title of the bill.

The Speaker. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 18673

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That chapter 55 of title 10, United States Code, is amended as follows:

(1) by adding the following new subsection at the end of section 1079:

"(g) When a member dies while he is eligible for receipt of hostile fire pay under section 310 of title 37, United States Code, or from illness or injury incurred while eligible for such pay, his dependents who are receiving benefits under a plan covered by subsection (d) of this section shall continue to be eligible for such benefits until their eligibility is otherwise terminated."

(2) by adding the following new section at the end thereof:

"§ 1088. Cost-sharing for certain dependents

"Notwithstanding any other provisions of this chapter, when a member dies while he is eligible for the receipt of hostile fire pay under section 310 of title 37, United States Code, or from illness or injury incurred while eligible for such pay, his dependents shall, for a period of one year following the date of his death, pay for benefits under this chapter on the same basis prescribed for the dependents of members of the uniform services who are on active duty."

(3) the analysis is amended by inserting the following item:

"1088. Cost-sharing for certain dependents."

SEC. 2. The amendments made by this Act shall be effective as of January 1, 1967.

(Mr. HARDY asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. HARDY. Mr. Speaker, the purpose of the bill is simply to see that dependents of servicemen are not suddenly faced with increased medical costs because the serviceman was killed in Vietnam.

When an active duty member dies his surviving dependents continue to be eligible for regular health care benefits but under a different cost-sharing arrangement. For civilian hospitals active duty dependents are required to pay the first \$25 or \$175 per day, whichever is greater. However, on the day following the death of an active duty member and for any subsequent period of hospitalization his surviving dependents are required under present law to pay 25 percent of the total cost of the care obtained.

Cases have come to the committee's attention where service wives were pregnant at the time their husbands died in Vietnam. Under present law if they subsequently receive their maternity care at civilian hospitals they would be charged as dependents of deceased personnel and would be required to pay 25 percent of all costs which would typically result in a cost to the woman of approximately \$150. This is in contrast to the usual cost of \$25 for maternity care of a wife whose husband is still alive.

This is a result not envisioned at the time the law was enacted. The bill would provide that for a 1-year period following the death of a serviceman while in the receipt of hostile fire pay, or from illness or injury incurred while eligible for such pay, charges for his dependents for medical care shall continue at the active duty dependent rate.

Additionally, the bill would continue the eligibility for care of a mentally retarded or physically handicapped spouse or child of a service member killed in Vietnam. The program of care of these mentally retarded and physically handicapped dependents is limited to depend-

ents of active duty personnel. Without the bill, therefore, the dependents would lose their eligibility under the program at the time the service member dies. The bill would continue the benefits under the program until eligibility was lost for reasons other than the serviceman's death.

The bill is retroactive to January 1, 1967, which is the commencement date of the program for assistance to mentally retarded and physically handicapped dependents.

The estimated annual cost of the bill is \$165,000.

(Mr. HALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

[Mr. HALL'S remarks will appear hereafter in Extensions of Remarks.]

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO PREVENT THE IMPORTATION OF ENDANGERED SPECIES OF FISH OR WILDLIFE INTO THE UNITED STATES

Mr. DINGELL. Mr. Speaker, I as unanimous consent for the immediate consideration of the bill (H.R. 11618) to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11618

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) no person shall import into the United States, its territories or possessions, or the Commonwealth of Puerto Rico, any species or subspecies of fish or wildlife or parts thereof which the Secretary of the Interior determines to be threatened with extinction, except as provided in subsection (b) of this section. A species or subspecies of fish or wildlife shall be regarded as threatened with extinction whenever the Secretary of the Interior finds, after consultation with the affected foreign country, and, when appropriate, with the International Union for the Conservation of Nature and Natural Resources, that its existence is endangered because its habitat is threatened with destruction, drastic modification, or severe curtailment, or because of overexploitation, disease, predation, or because of other factors. He shall, from time to time, publish in the Federal Register the names of the species or subspecies of fish or wildlife found to be threatened with extinction under this section.

(b) The Secretary may permit, under such terms and conditions as he may prescribe, the importation of any species, or subspecies of fish or wildlife or parts thereof that are threatened with extinction for zoological, educational, and scientific purposes.

(c) The Secretary of the Interior and the Secretary of the Treasury shall enforce the provisions of this section, including any regulations issued thereunder. Any person who

DIGEST of Congressional Proceedings

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CONTENTS

Adjournment.....24,39	Farm program.....29,45	Personnel ceilings.....54
Aging.....5	Food stamps.....44	Pollution.....42
Appropriations.....4,27	Foreign aid.....8	Poultry inspection.....2
Atomic energy.....12	Foreign trade..10,17,33,53	Public works.....52
Budget.....27	Future farmers.....36	Reclamation.....16
Census.....49	Housing.....32	Recreation.....41
Committees.....7	Hunger.....35,46	Reorganization.....15
Community development...13	Intergovernmental	Research.....28
Cotton.....33	cooperation.....25	State of the Union.....48
Credit.....9	Lands.....18,26	Strawberries.....17
Credit unions.....19	Legislative program..23,38	Taxation.....43
Cropland adjustment.....29	Legislative record.....37	Textiles.....33
Dairy indemnity.....1	Loans.....3	Timber exports.....53
Education.....31,47	National parks.....11	Tobacco.....14
Employment.....6	Opinion poll.....40	Transportation.....20,34
Farm income.....21	Packaging.....51	Veterans.....50
Farm policies.....22	Personnel.....30,54	

HIGHLIGHTS: See page 7

SENATE

1. DAIRY INDEMNITY. Agreed to the conference report on S. 3638, to extend the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. For provisions of the conference report see Digest 136. This bill will now be sent to the President. p. S10045

2. POULTRY INSPECTION. The Senate received and both Houses agreed to the conference report on H. R. 16363, the poultry inspection bill (pp. S10131-2, S10074-5, H8128). For provision of the conference report see Digest 136. This bill will now be sent to the President.

3. FHA LOANS. Concurred in House amendment to S. 1504 (to substitute language of H. R. 18209, a similar bill, passed by the House earlier as reported (pp. H8121-4, S10126)). This bill will now be sent to the President.

This bill would amend the Consolidated Farmers Home Administration Act of 1961 to--(1) Include (I) enterprises needed to supplement farm income and (II) conversion of farms to recreation among the purposes for which loans may be made under subtitles A (real estate) and B (operating); (2) Increase the annual development grant authority under section 306 to \$100 million (from \$50 million); (3) Increase the annual grant authority for comprehensive planning of water or sewer systems to \$15 million (from \$5 million); (4) Extend to October 1, 1971, the period within which grants may be made to assist financing water and waste disposal projects before the completion of a comprehensive plan; (5) Remove the \$450 million aggregate annual ceiling on insured loans to permit the making of such loans to eligible borrowers as needed; (6) Increase to \$100 million (from \$50 million) the amount of loans that can be held at one time in the Agricultural Credit Insurance Fund pending sale; (7) Remove the proviso that 75 percent of the funds available for operating loans be restricted to loans of \$15,000 or less while retaining the limit of \$35,000 per loan; (8) Give the Secretary of Agriculture authority to release valueless liens; and (9) Remove the 5-percent maximum rate of interest on operating loans and establish a rate equal to 1 percent more than the current average market yield on outstanding marketable obligations of the United States adjusted to the nearest one-eighth of 1 percent.

4. APPROPRIATIONS. The Senate received and both Houses agreed to the conference report on H. R. 18706, the D. C. appropriation bill (pp. S10102-3, H8115-8). This bill will now be sent to the President. Sen. Byrd inserted a conference summary table of the bill (p. S10103).

Began debate on H. R. 18037, the Labor, HEW, and related agencies appropriation bill. p. S10020

5. AGING. H. J. Res. 1371, to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the U. S. in 1971, was ordered to lie on the table. pp. S10021-2

6. EMPLOYMENT. Concurred in the House amendment to H. R. 1093, to amend and clarify the reemployment provisions of the Universal Military Training and Service Act. This bill will now be sent to the President. p. S10127

Sen. Monroney defended the Administration's employment policies and stated the alleged deliberate padding of Federal payrolls charge is "both inaccurate and misleading." p. S10102

7. COMMITTEES. Sens. Ellender, McGovern, Talmadge, Yarborough, Clark, Nelson, Hart, Mondale, Javits, Prouty, Boggs and Hatfield were appointed to the

Forest lands in New Mexico in trust for the use of the Taos Indians.

The hearings have been set at the request of the Senator from New Mexico [Mr. ANDERSON], who has cooperated in recent subcommittee efforts to find a consensus on the matter. Because of public interest in the matter, and the fact that we are coming back in September, it has been concluded that hearings can and should be held.

I make this announcement so persons interested may file statements with the committee or, if they wish, request permission to appear at the hearings.

INDEMNITY PAYMENT TO CERTAIN DAIRY FARMERS—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3638) to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of July 31, 1968, p. H7935, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, conferees on both sides unanimously signed the report. As passed by the Senate, this bill authorized dairy indemnity payments for 3 years. The House amendment authorized such payments for only 1 year. The conference substitute for the House amendment provides for payments for 2 years.

Mr. President, I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

THE CREDIT UNION MOVEMENT

Mr. MONDALE. Mr. President, I know of no two Senators who have worked harder on behalf of the credit union movement than the distinguished chairman of the Committee on Banking and Currency, the Senator from Alabama [Mr. SPARKMAN], and the able chairman of the Subcommittee on Financial Institutions, the Senator from Wisconsin [Mr. PROXMIRE]. The credit union movement plays a vital role in providing millions of families with low-cost credit when they need it the most.

At the same time, the credit unions have proven to be safe and effective in-

stitutions for savings deposits. I was pleased to see the 90th Congress take a number of actions which modernize and update the Federal Credit Union Act and permit credit unions to provide even better service to their members.

Mr. President, I ask unanimous consent that two resolutions passed by CUNA, commending Senator SPARKMAN and Senator PROXMIRE, be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

COMMENDING SENATOR SPARKMAN AND SENATE BANKING AND CURRENCY COMMITTEE

Whereas, Senator John J. Sparkman, Chairman, and members of the Banking and Currency Committee of the United States Senate have granted public hearings and promulgated extensive credit union legislation introduced in the 90th Congress at the request of CUNA International, Inc., and

Whereas, Senator Sparkman and members of the Banking and Currency Committee of the United States Senate have by their interest in and support of such legislation greatly furthered the best interests of the credit union movement in the United States and its millions of members,

Now therefore be it resolved, that the Board of Directors of CUNA International does hereby place on record its commendation and appreciation to Senator Sparkman, Chairman, and the individual members of the Banking and Currency Committee of the United States Senate for their part in furthering the passage of sound legislation for the modernization and advancement of federal credit unions, and

Be it further resolved, that copies of this resolution be forwarded to Senator Sparkman and to each member of the Banking and Currency Committee of the United States Senate.

COMMENDING SENATOR WILLIAM PROXMIRE

Whereas, Senator William Proxmire of Wisconsin, as Chairman of the Joint Economic Committee of the U.S. Congress, as Chairman of the Subcommittee on Financial Institutions, and as a member of the Senate Banking and Currency Committee, has demonstrated keen, analytical and objective approaches to economic and financial matters and the institutions associated therewith, and

Whereas, Senator Proxmire, as Chairman of the Financial Institutions Subcommittee, has expedited consideration of credit union legislation, and

Whereas, Senator Proxmire has energetically and aggressively assumed the role of principal advocate in the Senate of truth-in-lending legislation, and has managed such legislation to unanimous acceptance by the U.S. Senate, and

Whereas, Senator Proxmire has won the respect and appreciation of consumers and credit unionists for his untiring efforts in their behalf,

Now therefore be it resolved, that the Board of Directors of CUNA International does hereby place on record its wholehearted commendation of Senator Proxmire's public service and its appreciation for his dedicated and aggressive leadership in consumer credit legislation as well as legislation of direct concern to credit unions, and

Be it further resolved, that copies of this resolution be sent to Senator William Proxmire and to the Wisconsin Credit Union League.

A USEFUL CONGRESSIONAL PUBLICATION FOR SMALL BUSINESS

Mr. SMATHERS. Mr. President, on July 10, 1968, the Committee on Small

Business released a report entitled "Automatic Data Processing and the Small Businessman." The report, prepared by Mr. Robert L. Chartrand of the Science Policy Research Division, Legislative Reference Service, Library of Congress, will be of great interest to Members of Congress as well as the small business community.

As chairman of the committee I have long recognized the need of the small businessman to utilize effectively new tools and techniques of modern management in order to survive in a competitive market. Focusing on the needs and practices of the small business in using automatic data processing, the report examines three major areas of information:

First. The status of Federal Government activity in providing information and other forms of support in the area of automatic data processing technology to the small businessman;

Second. Detailed information describing how and where the small business community has been using automatic data processing; and

Third. Useful information regarding the tools, techniques, and applications which should be considered by the small businessman who seeks to improve his business operation.

I ask unanimous consent to have printed in the RECORD, "Chapter 1, Summary and Conclusions of the Report."

There being no objection, the chapter was ordered to be printed in the RECORD, as follows:

AUTOMATIC DATA PROCESSING AND THE SMALL BUSINESSMAN

I. SUMMARY AND CONCLUSIONS

A. Summary

Automatic data processing technology represents man's innovative ability to overcome many of the problems inherent in collecting, indexing, storing, manipulating, and retrieving information. The impact of this technology on the public and private elements of our society has been pronounced. In the governmental realm, a recent report stated:

"No single technological advance in recent years has contributed more to effectiveness and efficiency in Government operations than the development of electronic data processing equipment."¹

The application of the computer and its ancillary tools to business problems also has proceeded at an accelerated pace. Today, while many larger corporations have tested and invested in automatic data processing systems, a significant portion of the small business community remains unconvinced of the desirability or feasibility of using the new approach. Yet there is a growing awareness that the contemporary small entrepreneur must avail himself to those mechanisms and services which will allow him to survive in an age where competition is increasingly sophisticated and unrelenting.

There has been a recognized need on the part of the Federal Government—executive branch agencies and legislative branch components—and various private sector groups for an overall strategy to be conceived which would lead to a marshaling of resources to address the problem of linking the small business community with the potential of the computer. Much of the effort expended

¹ Executive Office of the President. Bureau of the Budget. Report to the President on the management of automatic data processing in the Federal Government. Washington, February 1965. p. 1.

heretofore has been unfocused or lacking in continuity, and this situation has resulted in the study undertaken by the Senate Select Committee on Small Business.

An examination of the problem area has permitted the identification of three critical requirements for future action. First, a carefully coordinated investigation of user (that is, small business) needs for automatic data processing support should be initiated. The fragmentary data now in existence requires updating, and should be analyzed in the light of state-of-the-art developments of the last few years. The responsibility for organizing this activity should be negotiated through discussion between cognizant Government and business organizations.

The second vital requirement is related to identifying those hardware and software developments of the immediate past and foreseeable future in terms of their application to the multitudinous problems of the small businessman. The small business community is increasing at a great rate: 200,000 new small firms since 1961; 50,000 now taking their place in the competitive milieu every year. The role of industry in helping to match the new devices and man-machine techniques with the discrete applications cannot be underplayed, but the contributions of governmental groups also must be delineated and evaluated.

The third requirement which is critical to an improvement of the status of the small business is for a much enhanced program of orientation and education of the small merchant in terms of the support which can be gained from utilizing automatic data processing. The level of technical literacy must be raised, and a willingness to seek out and listen to counsel must be engendered. Although industry increasingly has provided information to the public about the pro's and con's of the new machine technology, the degree of understanding remains inadequate to the needs of our times.

The Federal Government has played a growing role in encouraging the use of computer technology by business. Through the support provided by the Office of State Technical Services' grants, pilot projects involving business concerns and other private sector elements have been founded; also, dozens of workshops, conferences, and training curriculums have been established to provide guidance to the busy businessman. The Small Business Administration, in fulfillment of its charter, continues to sponsor educational programs designed to introduce automatic data processing to the small businessman. In addition, this group has prepared and disseminated countless copies of basic reference literature on the subject. The Office of Technology Utilization of the National Aeronautics and Space Administration has established a repository for computer programs at the University of Georgia, which may be drawn upon by businessmen. These Federal units and others to a lesser degree have confronted the dilemma of the small businessman and sought to render useful assistance in the form of counsel, funding, and background material.

Nor has the private sector of society been idle. While their resources necessarily are limited, the trade associations such as the Association of Data Processing Services Organizations and the National Retail Merchants Association, among others, have moved to provide member firms with current information on the possibilities for using punched card equipment and computers. Universities, too, have become involved through the medium of moneys granted by the Office of State Technical Services. Throughout the efforts to raise and apply resources which could be put to use by the small businessman a question of authority and responsibility has emerged. *Should there be a single point of coordination within the Federal Government so that the application*

of talent and funding would result in optimum benefits?

The findings of the committee regarding industrial acceptance of governmental support in this area indicate that in general both large and small business concerns favor the allocation of Federal funds in educational and experimental systems efforts. It is recognized by business that many of the applications now fully supported by ADP-oriented equipment and software were brought to that state of performance as the result of work done with Government money. The emergence of State and metropolitan governmental capabilities in the data processing realm also has affected the attitude and willingness to become involved on the part of many small businessmen. The need of small business, then, is for the establishment of a policy at the Federal level which would bring together and make available to the "small" businessman sufficient funding, educational resources, and counseling expertise. In a number of instances, the level of effort by Federal agencies could be raised considerably; this should be the result, it was indicated by many of those in contact with the committee, of a reappraisal of individual agency policy and resource commitment.

The expansion of business participation in its own members education and status improvement also was voiced by contributors to the committee study. There is a distinct need for an increased public relations effort so that the small businessman knows *who* wants to discuss the advantages and limitations of automatic data processing with him and *why* that particular group is so engaged. It should be noted that some of the larger corporations provide the means for employees to gain information or attend classes on computer technology, but few of the smaller firms are in a position to do this.

The transfer of technology from one environment to another has been addressed in an earlier committee report entitled "Policy Planning for Technology Transfer." The advances made, for example in the aerospace field *may* be useful to the small entrepreneur, but if any significant modification to a device or program is required, the matter may be allowed to drop. What is the proper organism for assessing which tools and techniques could be collected and applied to the range of small business applications? Would this be a suitable project for university or foundation research, or should this fall within the aegis of a trade association project for its members? The feasibility of taking advantage of equipments, software, or applications developed elsewhere in our society needs to be viewed realistically. Such carryover may even be feasible, but at what cost? The committee report on technology transfer has this to say:

"The transfer of technology from Federal military-space programs to commercial application is intrinsically inefficient compared to directed research and development sponsored for specific purposes by industry. Only the massiveness of the recent Government investment makes the promise of private sector gains possible."²

The report then goes on to identify certain contributions which such transfer of technology provides to the economy:

Direct transfers of packaged technology, such as airplanes or computers.

Tangible or intangible spinoff applications in other industries.

New processes and techniques, new products, and devices to replace former methods and provide capabilities not previously available.

² U.S. Senate, Select Committee on Small Business. Subcommittee on Science and Technology. Policy planning for technology transfer. (90th Cong., first sess., Document No. 15, 1967.) Washington, U.S. Govt. Printing Office, 1967, p. 3.

Cost reductions in goods, processing, and services.

The nature of the American small business community has allowed many areas of marginal responsibility and activity to evolve. Indeed, the very definition of "small business" varies from industry to industry. In order to have a common point of departure for the purpose of the committee report, the Code of Federal Regulations categories and definitions are iterated.

Industry and limitation:

Construction: \$5 million annual average receipts.

Durable goods manufacture: 250 employees.

Nondurable goods manufacture: 250 employees.

Transportation and communication: \$5 million annual average receipts.

Wholesale-retail trade: \$5 million annual average receipts.

Finance and industry: \$20 million assets.

Services and miscellaneous: \$3 million annual average receipts.

Petroleum: \$5 million annual average receipts.

The advantages to be derived, and the constraints to be acknowledged, from small business utilization of automatic data processing are of prime importance to the Nation at large. As a result of analyzing the experience of the small business community in its relationship with those who supply technological support, the requirement for further study, discussion, and program development has been ascertained.

B. Conclusions

The analysis of the information which forms the basis for this report indicates the existence of these key factors in the national efforts to insure the stability and growth of small business through the utilization of automatic data processing technology.

(1) The state of the art of computer technology continues to progress impressively and should maintain a high level of contribution, as expressed in tools and techniques, for use by small business.

(2) The augmenting of counseling services both in government and industry will be needed if small business is to have access to that expertise which is requisite to its survival and growth.

(3) The evolution of more flexible, broader gaged service bureau centers, with their ability to serve the small businessman, is essential to the welfare of the Nation.

(4) Formal orientation and education curriculums are required, through government, university, and trade association sponsorship, in the era ahead.

(5) An investigation, on a continuing basis, of the changing cost-benefit ratios for various applications and various industries will be essential to convincing the small businessman of the applicability of ADP to his problems.

(6) The establishment of a Federal focal point for support to the small businessman, authorized by the Congress and implemented by the executive branch of the Federal Government, would appear to be a future development.

(7) The creation of the opportunity for expanded public discussion and the correlation of opinion from all sectors is necessary prior to the initiation of a detailed plan for public policy. User reaction to existing programs, both public and private, must be reviewed in the light of projected technological progress and the anticipated needs of the small business community.

POPULAR PLURALITY AND THE PRESIDENCY

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared for de-



Public Law 90-484
90th Congress, S. 3638
August 13, 1968

An Act

82 STAT. 750

To provide indemnity payments to dairy farmers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

Dairy farmers.
Indemnity pay-
ments.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Appropriation.

SEC. 3. The authority granted under this Act shall expire on June 30, 1970.

Expiration
date.

Approved August 13, 1968.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1614 accompanying H.R. 17752 (Comm. on Agriculture) and No. 1828 (Comm. of Conference).

SENATE REPORT No. 1363 (Comm. on Agriculture & Forestry).

CONGRESSIONAL RECORD, Vol. 114 (1968):

July 10: Considered and passed Senate.

July 15: Considered and passed House, amended, in lieu of H.R. 17752.

Aug. 1: House adopted conference report.

Aug. 2: Senate adopted conference report.

